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The history of the Kirk of Scotland

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THE

HISTORY

OF THE

KIRK OF SCOTLAND.

BY

MR DAVID CALDERWOOD,

SOME TIME MINISTER OF CRAILING.

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CALDERWOOD'S HISTORIE

OF

THE KIRK OF SCOTLAND.

M.D.LXXXIX.

NOTWITHSTANDING that the Lord did manifest, the yeere preceeding, by the overthrow of the Spanish Armada, what care he had of his poore kirk in this yle, yitt did the enemeis continue still in their despite and malice: sindrie practising, traffiquing Jesuits, Seminarie preests, and other emissareis of Antichrist, creeping in the countrie, ceassed not to pervert and subvert in diverse parts, namelie, in the North and in the South, wherupon dangerous effects were like to follow. Therefore, the most vigilent of the ministrie wairning and moving others, as the custome of the Kirk of Scotland was from the beginning, conveened at Edinburgh in the moneth of Januar, 1589, and gave in to the king and counsell the petitiouns following:—

HUMBLE PETITIONS TO HIS MAJESTIE AND COUNSELL, FOR PREVENTING OF THE DANGERS THREATNED TO THE PROFESSORS OF THE TRUE RELIGIOUN WITHIN THE REALME. JANUAR, 1589.

"That it may please his Majestie give command, both to parti-

cular presbytereis, and suche others ministers, barons, and gentlemen, as sall be thought meete to conveene and consult upon the readiest remedeis of thir dangers appearand, so oft as they sall thinke expedient; and to report their opiniouns and advices to his Majestie, betuixt this and the 20th day of Januar.

"That it may please his Hieness to forbeare, in tyme to come, to interpone his privie letters or discharges to the kirk, for staying of their proceeding with their censures against Papists, when as they can not be reclamed by lawfull admonitiouns.

"That commissiouns may be directed to some specialls of his Hienesse' counsell, best affected and of greatest power, to searche, seeke, and apprehend, and present to justice, all Jesuits, or other privat or publict seducers of his Hienesse' lieges; and that the saids commissioners may be instantlie named, and a day appointed to the report of their diligences in that behalfe.

"That some specialls of the ministrie, assisted with some weill affected barons or other gentlemen, may be authorized with his Hienesse' commissioun and licence, to passe to everie quarter of this realme, and there, by meanes that they find meetest, try and explore what noblemen, burrows, barons, and others of anie ranke and calling, professe the religioun, and will joyne effaldlie in the defence therof, and who will not; and that a day be appointed in like maner for reporting of their diligence.

"That seing the speciall occasioun of the sinistrous suspiciouns conceaved of his Hienesse' sinceritie in the truthe, and that animateth the Papists most, is his authoritie and service putt in the hands of Papists, under whose wings all Jesuits, and others devoted to that superstitioun, find countenance and confort; that for remeed therof, it may please his Majestie to purge his hous, counsell, and sessioun, and to retire his power of lieutenantrie, wardanrie, and other his authoritie whatsomever, from all and whatsomever persons avowed or suspected to be Papists; and to lett proclamatiouns immediatlie be directed for publication of his Hienesse' good intentioun and meaning in that behalfe, to the confusioun of the Papists and their patrons, and confort of the godlie,

offended this tyme bygane with their long tolerance and oversight."

These petitiouns were presented to the king and counsell, and were granted. Therafter, commissioners were nominated for everie part of the countrie, to putt in executioun the things craved.

At the same tyme, it was thought good, that certane sould be nominated to consult in privat, concerning the best and most readie way of the said executioun. Ten noblemen, lawyers, and burgesses, on the one side, the Erle of Marshall, the Maister of Glames, Treasurer, the Laird of Lochlevin, the Clerk Register, Mr Johne Schairpe, Mr Thomas Craig, Mr Johne Nicolsone, Johne Johnstoun of Elphingstoun, Johne Adamsone; and ten of the ministrie, viz., Mr Andrew Melvill, Mr Robert Pont, Mr Robert Bruce, Mr David Lindsay, Mr Andrew Hay, Mr Patrik Galloway, Mr Nicol Dagleish, Mr James Melvill, Mr Andrew Mylne, mett; and after long reasoning and advisement, thought it most expedient and needfull, first, that the said executioun sould be without delay, in respect of the imminent danger: Nixt, that forasmuche as there were three ranks of enemeis; the first, of cheefe mainteaners of Papists and Papistrie; the secund, of Jesuits, Seminarie preests, and traffiquers; the thrid, of allowers, receavers, and interteaners of these in their houses, and partakers of their purposes and idolatrie, it was thought best, that the first sort sould be charged to waird, the secund apprehended at unwars and punished, the thrid proceeded against, conforme to the lawes of the countrie, and being found culpable, to be punished accordinglie: And last, to the intent that so weightie a mater might be solidelie advised, and sett doun in all points, the Clerk Register, Alexander Hay, Mr Johne Schairpe, Mr Thomas Craig, and others, were requeisted to tak tyme, and pause upon the mater, and everie one severallie sett doun their judgement in writt; the which being conferred together, conclusioun was takin and reported to his Majestie, wherof proceeded the acts, proclamations, and commissiouns, soone after published in print.

At this conventioun were appointed certane commissioners and brethrein to meete everie weeke, to consult upon effaires perteaning

to the weale of the kirk in so dangerous a tyme ; viz., Alexander Hay, Clerk Register, Mr Johne Lindsay, one of the Senators of the Colledge of Justice, Mr Johne Schairpe, Mr Thomas Craig, Mr Johne Skeene, Mr Johne Nicolsone, advocats ; William Littill, Proveist of Edinburgh, Johne Johnstoun of Elphinstoun; Johne Adamsone, Henrie Charters, burgesses of Edinburgh; Mr Robert Bruce, Mr David Lindsay, Mr Robert Pont, ministers.

The king's commissioners, with some other, being of the ministrie, were appointed to travell with his Majestie for a proclamatioun, to lett all his subjects understand his Hienesse' zeale and care to purge the land of Poprie, and to mainteane the true religioun ; and to desire his Majestie of new againe, now in his perfyte age, to subscribe the Confessioun of Faith, and to renew the charge givin in his minoritie to all his subjects, to subscribe the same of new againe, which was also obteaned ; and the Confessioun of Faith afterward printed, with blankes following, for the names of the subscribers.

It was further ordeanned, that all commissioners and moderators of presbytereis in all parts sould be carefull to have intelligence of all maters within their bounds, concerning religioun and the weale of the kirk ; and to send advertisements, from tyme to tyme, to the forsaid commissioners, appointed to conveene weekelie in Edinburgh.

It was agreed that the Generall Assemblie sould be holdin in Edinburgh the sixt of Februar nixtocum ; and that the provinciall synods be holdin and dissolved before the 24th of Januar.

It was thought necessar that the commissioners of provinces, and everie minister within their owne bounds respective, informe all gentlemen, weill affected to religioun, of the attempts of Papists, and dangers imminent, and of the libertie granted by the king and counsell to conveene ; that so they may be moved to take commissiouns from synods, and not faile to keepe the Generall Assemblie.

As concerning Jesuits, Seminarie preests, and other seducers of the people, it was agreed, that, at the nixt synods, the ministers

sould be charged to declare them excommunicated, out of the pulpit, immediatlie after their returne to their owne kirks, that the people may beware of them, and of suche as favour them, interteane them in their houses, or have anie medling with them; and that everie minister have their names enrolled to this effect.

Mr Andrew Melvill moderated at this conventioun; Mr James, his nephew, was scribe.

THE * * GENERALL ASSEMBLIE.

The Generall Assemblie conveened, as was appointed, upon the sixt of Februar. It was frequented with manie noblemen and gentlemen. The greevances of everie province and presbyterie were givin in, whereby might be perceaved cleerelie how the land was defiled all throughout, speciallie the North and the South, with Poprie, superstitioun, bloodshed, and all kind of villanie. Wherupon the brethrein were stirred up to watch diligentlie over their flockes, and to have a care of the weale of the whole church; complaints, greevances, and petitions, were formed, to be presented to the king and counsell.

[*The proceedings of the Assemblie are to be sought out of the Register.*]

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DOCTOR BANCROFT'S CALUMNEIS.

Upon the nynth of Februar, Doctor Bancroft, afterward Bishop of Londoun, traduced, in a publict sermoun at Paul's Croce, the good name and credite of that worthie and famous servant of God, Mr Knox, of blessed memorie, calling him a man of nature too contentious, and one of perverse behaviour; and all, forsuith! becaus he agreed not to their Booke of Commoun Prayer, which he himself confessed was diverse tymes amended and corrected. He traduced likewise our kirk and ecclesiasticall governement, ground-

ing his calumneis upon infamous witnesses, the author of the Declaratioun, which was printed *anno* 1584, and a schismatick, Robert Browne, of whom the Separatists were denominated Brownists. This sermoun was printed, wherin he fathereth upon our king the penning of that Declaratioun, and chargeth him with inconstancie; for when he hath made mentioun of the overthrow of the presbytereis in the 1584 yeere, he would seeme, by pre-occupatioun, to answere an objectioun. "It may be heere said," (sayeth he,) "for they darre say what they list, that now the king is of another minde, and that this Declaratioun was made when he had conceaved some displeasure against them. For the king, he is not altered: *Ictus piscator sapit.*" It pleased the king, when this pamphlett came in his hand, to write in the margin, page 75, just over these his assertiouns, the words following: "My speeking, writting, and actiouns, were, and are ever one, without anie dissembling, or bearing up, at anie tyme, what ever I thought: *Ergo*, casts the libel. *Ne quid asperius. James Rex.*"

What ever the schismatick Browne reported is not to be regarded; for he was a malcontent, becaus his opiniouns were not embraced, and that he was committed to waird a night or two till they were tryed. His misreports were general, nather was he able to justifie anie particular. As for the Declaratioun, which he fathereth upon the king, it was knowne that Mr Patrik Adamsone was the author of it. Mr Johne Davidsone made a short answere to the calumneis of this sermoun, entituled "Doctor Bancroft's Rashnesse in railing against the Church of Scotland," which was printed *anno* 1590. The 9th of Februar, when Doctor Bancroft taught, was the first Sabbath after the beginning of the parliament.

What just caus of feare the ministers had of the traffiquing of Papists, to the subversioun of religioun, did appeare this moneth of Februar. For upon the seventeenth day of Februar, the king being in the Tolbuith with the Lords of the Sessioun, and at the point of rysing, as the custome is, at the twelve houre, a packett was presented to the king sent from the Queene of England, and English Counsell, conteaning a letter sent from the queene herself to

the king, and other letters intercepted and found upon Colonell Sempill's man, called Pringill, directed by Huntlie, Erroll, to the Duke of Parme and King of Spaine, and by Mr Robert Bruce, Seminarie preest, to the Duke of Parme, together with other letters directed by others, all tending to the overthrow of religioun, and bringing in of Spanish forces to that effect. There were present with the king, in the meane tyme, the Erle of Huntlie, Erroll, Bothwell, Mortoun, Angus, who latelie was invested in the erledom, (after that he had agreed with the king for fourtie thowsand merkes,) Marr, the Maister of Glames, Treasurer, the Maister of Lindsay, the Proveist of Glencludden, and sindrie others. The copie of the letters which were sent heere followeth:—

QUEEN ELIZABETH'S LETTER TO THE KING.

"My deere Brother,—I have ere now assured you, that als long as I found you constant in amitie towards me, I would be your faithfull watche, to shunne all mishappes or dangers that, by assured intelligence, I might compasse to give you. And according to my good devotioun and affectioun, it hath pleased God to make me, of late, so fortunat as to have intercepted a messinger, (whom I keepe safe for you,) that caried letters of high treasoun to your person and kingdome; and can doe no lesse, than with most gladnesse, send you the discovered treasoun, suche as you may see, as in a glasse, the true portrature of my late wairning letters; which, if then it had pleased you follow, als weill as read, you might have taikin their persons, receaved their treasoun, and shunned their further strenthening, which hath growne daylie by your too great neglecting and suffering of so manie practises which, at the beginning, might easilie have been prevented.

"Permitt me, I pray you, my deere brother, to use als muche plainnesse as I beare you sinceritie, your supposing to deale moderatlie and indifferentlie to both factions, and not to take nor punishe, at the first, so notorious offenders, as suche as durst send to a forrane king for forces to land in your land under what pretence so

ever, without your speciall directioun, the same never punished; but rather, hold foote deere and neere, with a parentage of neere allya. Good Lord! me thinke I doe but dreame: no king a weeke would beare this! Their forces assembled, and held neere your person, held plotts to take your persoun neere the sea-side; and that all this wrapped up with giving them offices, that they might the better accomplishe their treasoun! These be not the formes of governements that my yeeres have experimented. I would yours had noucht, for I sweare unto you myne sould never in like sort.

"I exhort you be not subject to suche weakenesse, as to suffer suche lewdnesse so long to roote, as all your strenth sall not plucke up, (which God forbid!) which to shunne, after you have perused this great packet that I sent you, take speedie order least you linger too long; and take counsell of few, but of wise and trustie. For if they suspect your knowledge they will shunne your apprehensioun. Therefore, of a suddantie they must be clapped up in saifer custodie than some others have beene, which hath bred their laughter. You see my follie when I am entered to mater that tuicheth you so neere. I know not how to end, but with my prayers to God to guide you for your best. My agent with you sall tell you the rest.

"Your most assured loving sister and consignesse,

(*Sic subscribitur*) "ELIZABETH R."

A LETTER FROM THE COUNSELL TO THE ENGLISH AMBASSADER.

"*To our loving Freind, Mr Ashebie, Squire, her Majestie's Ambassader with the King of Scots.*

"After our heartilie commendatiouns: We doe send to you with this bearer a certane packet, sealed up with our seales. For the better understanding therof, and for your proceeding therin, this you sall understand: the letters that are in ciphers have beene by some good diligence taikin upon one * * a Scotishman, appointed to have caried them to the Duke of Parma. The partie is in prisoun heere, and sall be sent thither, to be used for the prooffe, that it

was he which caried these letters. The letters that were in ciphers are deciphered, and writtin in plaine, for to be read; the others are sent in their proper nature. And for warrant of the true deciphering of them, we have caused some few lynes of the deciphered letters to be subscribed by interlineatioun, with the true and plaine words in commoun letters. And to the intent that the rest may appeare to be als truelie deciphered, we doe send to you the true alphabet of the ciphers, so as anie man skilfull therin may perceave the letters to be trulie deciphered.

"The contents of these letters are suche as you may see to be of great weight, and to be used verie secreitlie and substantiouslie. And, in verie truthe, we ought to acknowledge the continuance of God's favour, in ordeaning the discoverie of these notable hid practises, so dangerous to the caus of religioun professed in both these realmes; and therewith also, so dangerous both for the queen's Majestie and that king, and both their realmes and faithfull subjects, as no one practise hath beene more covertlie and subtillie practised these manie yeeres. And for prooffe that these ciphered letters come from the parteis therin named, and that the contents are no wise fained, but certanelie conteaning the mindes and purposes of the tratours therin mentiouned, the scope of their secreit actiouns, the truthe of all circumstances for the naming of the persons that are in prisoun, the Jesuits that are there secreitlie harboured, and the behaviour of the erles and lords now conspired in all their actiouns, are infallible prooffes of the truthe of all the contents: which we doe mentioun to you, as not doubting of your judgement to censure the same, both by reasoun of the present contents, and of your owne knowledge of the dependances of a great number of circumstances better knowne to you there than can be to us.

"After you have weill perused these letters in ciphers, and their decipherings, with other letters that doe concurre therewith, her Majestie's pleasure is, that you sould als soone as convenientlie you may, without delay, resort to the king, and deliver to him her Majestie's letter, whereby she requireth the king to give you credit;

and then you sall require him, that you may in most secreit sort impart to him a mater of most great weight but to be knowne to him; and that in secreit sort, and circumspectlie to be considered, for the remedie of the great danger therupon depending, if it be not both secreitlie, wiselie, stoutlie, and princelie used. And if it so may be weill used, you may certanlie pronounce to his Majestie, that he sall assure himself and his estat of a perpetuall great quietnesse, and sall thereby advance God's honour in the caus of religioun. And this being by you before-hand declared, you sall then show to him the letters, one after another, both in their ciphers and in their explained sort, and suche other letters as be writtin out of cipher; and you sall show to him the alphabet, whereby his Majestie may himself plainlie see the truthe of the translating therof. And when he hath seene and read them, which would be done in secreit maner, for avoiding of suspicioun by the slanders, then you may feele his minde, to whom he will communicat the same; and therin, as you see caus, to show your judgement and opinioun, how you sall thinke the persons fitt or unfitt, whome the king sall name unto you; and so use the mater by good perswasiouns, that nather manie be acquainted therewith, nor anie that may seeme to you unmeete to understand the same, for feare ather of discoverie of the same mater to the persons who are the principall offenders or partners with them. And you sall doe your best endeavoure to stirre the king to take to heart these notable traterous conspiraceis, and to use all good speed to the apprehending of them all at one instant, als neere as may be possible; and that being so apprehended, they be committed to more sure custodie, than it seemeth ather the Erle Mortoun or Bruce, or others be, that the terrour of their strait imprisonment may terrifie their factioun, dependants, for attempting anie thing to the disquiet of his estate. You may remember to his Majestie, that this sufferance of the Jesuits, as Crichtoun and his complices, is the roote of these conspiraceis; and the continuance of these Spaniards that have long remained there, hath surelie corrupted verie manie of his subjects, and hath made them verie like to attempt these treasons; and,

therefore, the sooner they be banished the countrie, and committed to the seas, the better it sall be. We cannot in particular sort informe you how the king sall proceed heerin: but all celeritie with secrecie would be used to apprehend the principalls, and to committ them. And we doubt not but suche as be sound counsellers and religious, will, with their counsells and their forces, assist the king, both in their apprehensioun and imprisounment, and in seizing on their writtings, letters, and the money sent thither from the Duke of Parma, mentioned in their letters; and afterwards, in proceeding against the principall offenders by order of law, to the rooting out of suche wicked corrupt members, so manifestlie tending to the subversioun of the whole estat of the realme, and to the destructioun or captivitie of the king's owne persoun, as, by the letters, is most manifestlie promised to be attempted. These dangers so appearant can not by you be amplified too muche, ather to the king, or unto suche as he sall impart the same unto, as to receave their advice.

"And becaus the comming of this present messinger, or your accesse to the king, or your deliverie and his reading of these letters in the sight of anie, may percace give to the guiltie consciences of some of the offenders, some sparkes of suspicioun of the intercepting of these letters, or of the discoverie of their practises, we doe send to you at this tyme certane writtings and requeists of Mr Ortell, the agent of the estates of the Low Countreis, as petitioners from him to the king, in name of the estats, which you may shew to the king, so as it may please him to referre the consideratioun therof to his counsell, by you to be treatted withall. And if some of the offenders sall be of the number of these counsellers, you may also the more tolerablie deale with them heerin, whereby they may conceave that your dealing with the king at this tyme is onlie about these maters of the Low Countreis. And so you may informe the king, or anie confident counseller, that you are to deale for these maters, to avoide suspicioun of the discoverie of the other. We minde to send the partie that had the cariage of the letters, heerafter to be at Berwick, untill the letters sall be communicated

to the king; and then, if the king sall thinke good to have him brought thither, to avow from whom he had the letters, he may be sent, but not before; for otherwise, his comming in Scotland sall give light to Bruce and his complices, to provide for themselves.

"From the Court at Westminster, the 13th of Februar, 1589.

"Your loving freinds,

"CHR. HATTON, *Canc.* J. HOUNSDEN, *M. Bin.*

"FRA. WALSINGHAME. T. HENSALYE."

Becaus there is mentioun made in this letter to the English ambassader of ciphered letters, and of an alphabet of ciphers, together with the deciphered and explained letters, I have heere subjoyned the alphabet of the ciphers with their explanation; and some few lynes of the ciphered letters, sent from Robert Bruce to the Duke of Parma, that the reader may see what paines they tooke in writting so manie prolixe letters in ciphers, to keepe secreit their mischeevous purposes.

THE ALPHABET OF THE CIPHERS.

A.	B.	C.	D.	E.	F.	G.	H.	I.	L.	M.
10.	70.	71.	72.	20.	7.	74.	75.	66.	77.	78.
b.	49.	18.	48.	d. 17.		16.	o–o.	b.	15.	75.

N.	O.	P.	Q.	R.	S.	T.	V.	X.	Y.	Z.
79.	40.	80.	81.	12.	82.	84.	50.	r.	86.	4
14.	11.	13.	63.		83.	11.	t. 9	85.	8	

A over a character doeth double the same; V over, in like maner, maketh the same a null.

94.	93.	140.	131.
Angleterre.	Ecosse.	Espagne.	R. d'Espagne.
97.	106.	104.	105.
D. de Parma.	Huntley.	Morton.	Claud Hammilton.
112.	139.	103.	111.
Don Bernadino.	V. Altesse.	Comte.	Chancelier.
115.	116.	120.	95.	96.
Evesque.	Jesuite.	Lettre.	Catholique.	Heretique.
108.	89.	117.	136.	135.	134.
My Lord.	Roy.	Religion.	Par.	Pour.	Que.
132.	⋈				
Vous.	Robert Bruce.				

v
78 78 n 79 82 20 h 74 79 20 50 12 15 d 83 h d t 12 72 20 71 75 17 82 20 25 b 12 66 50 10 17 79 71 13 b h 82 566 40 50 12 83 b 13 12 d 82 14 136 11 177 820 79 114 82 o 1510 et avec la diligence requise vint trouver le 103106 1779 82 1025 b 6682 40 144 820 7250 1717 12251777 6679 40 t 1550 &c 1086 b 1484 presente les 12082 4820 13948 t 1372 40 7111 40 70 1220. Il declara amplement le crédit à luy commis conformement au contenu des lettres de 139 esquelles tous est apperceu de la grande humanité de 139 et de son affection à l'advancement de 15 b 1615 40 h 12 d 72 20 48 h d t d 14711713 b 6682, avec d'aultres consolations tres convenables, pour moderer les ennuyz et douleurs conceus es eueurs 49 d 8295 83 b 1210 66 82 4014, etc.

The letters explained and translated in Scottish, which were afterward printed in the yeere 1593, heere follow, together with some others not extant in print.

A LETTER DIRECTED TO THE KING OF SPAINE, BY THREE NOBLEMEN OF SCOTLAND, WHEROF TWO [1] HAVE SENSYNE RETURNED (NOW, VIZ., ANNO 1593) TO THE PROFESSION AND DEFENCE OF THE TRUTHE, BY THEIR OATHS AND SUBSCRIPTIONS, WHEREFORE THEIR NAMES ARE SUPPRESSED; THE THRID HIS NAME EXPRESSED, TO WITT, THE ERLE OF HUNTLIE, BECAUS HE CONTINUETH AS YITT IN HIS FORMER WICKED COURSE. THIS LETTER, WRITTIN BY THEM IN THE NAME OF THE CATHOLICK NOBLEMEN IN SCOTLAND, CYPHERED IN FRENCHE, WAS INTERCEPTED IN JANUARIE, 1589, LATELIE BEFORE THE TIME OF THE ROAD OF THE BRIDGE OF DEE; THERAFTER WAS DECYPHERED WORD BY WORD, AND TRANSLATED IN SCOTTISH, AS FOLLOWETH:—

"SIR,—We cannot sufficientlie expresse by speeche the great regrait we have conceaved, being frustrated of the hope we have so long had, to see (this yeere past) the desired effects fall out, which we attended, of your Majestie's preparatiouns; and our displeasure hath beene so much the greater, that your armie navall sould have passed by so neere us, unvisiting us, who expected the same, with sufficient forces for the peaceable recept and assisting therof, against all enemeis, in suche sort, as it sould have had no resistance in this countrie, and with our support, sould have givin eneugh adoe to England. At least, if it had come heere to refreshe it, it had preserved a number of vessells and men, which we know have perished neere our iles, and upon the coast of Ireland; and had discovered an incredible number of freinds in full readinesse to have runne the same fortune with it, in suche sort as we darre weill affirme, it sould not have found halfe so manie in England, for all that is spokin by the English Catholicks refuged there, who by emulation, or rather by an unchristian invy, extenuat over farre our meanes to aide you, to magnifie their owne onlie, and to

[1] Morton, *alias* Maxwell, and Claud Hammiltoun.

make themselves to be esteemed able to doe all, to advance themselves therby in credit with your Majestie, and suche as are about you. But the experience of this yeere past hath sufficientlie testifeid, they have not shewed themselves in suche number to assist your forces as we have done. And, therefore, your Majestie, as most wise as ye are, sall, if it please you, make suche accompt of the one as you neglect not the other; and so serve you with them both, to the end you pretend, without hazarding your forces for the particular of the one or the other.

"We remitt to the declaratioun of some of your owne subjects that have beene here, the commoditeis and advantage of landing in thir parts, where the expences bestowed upon the equippage of one galliasse sall bring more fruict to your service than you may have of ten upon the sea. And we may assure your Majestie, that having once six thowsand men heere of your owne, with money, yee may list heere forces in this countrie, als freelie as in Spaine, who will serve you no lesse faithfullie than your owne naturall subjects. And albeit we cannot, without blame of presumptioun, give your Majestie advice in your effaires there, alwise, in that that may concerne your service heere, we may speeke more freelie, as being upon the place, and knowing by ordinarie experience, manie things unknowne to anie of yours that are not heere. The over-late arrivall of your armie in our waters tooke from it the commoditie to retire itself in suche safetie, as it might have done comming sooner, by reasoun of the great winds that are ordinar heere in harvest; as also, laike of pylots experimented upon the coasts of England, Scotland, and Ireland, appeareth to have bred great harme to the said armie; wherunto we could have remedied concerning Scotland, to have sent pylots from this, if it had liked your Majestie to have served yourself with them. Likewise, (saving better advice,) it seemeth to us altogether unprofitable to fight the armie by sea, if it may be eshewed, for manie causes; and amongst others, becaus such as sall have foughten by sea sall be unable, being wearie, to fight againe by land against new forces. So the best sould be, to shift by one way or other, for spairing of your men and vessells;

and so, the English forces staying upon the sea unfoughten sall be disappointed, and sall not come in time to assist them that sall be assailed by land. Attour, sending heere a part of your forces before the other, which sould goe the right way to England, and that secreitlie, by the backe of Ireland, your Majestie sould compell the enemie to divide their forces, and it may be, sould caus them send the greatest part heere, where you might make them beleeve the greatest part of your forces were arrived; at least, sould caus them disgarnish als muche of England, and draw a great part of their forces, which would resist your landing and invasioun on that coast. And we may weill promise, that having heere six thowsand of your men, and money to list others heere, we sould, within six weekes after their arrivall, be weill farre within England, to approache and assist the forces which your Majestie sould caus enter there.

"The knight, William Sempill, Colonell, can show your Majestie the whole, to whom we remitt. Also, we have caused write both before and since his departure, our manie suche advices, by Mr Robert Bruce, and caused addresse the same to my Lord Duke of Parma, to whom your Majestie remitted us from the beginning in these effaires. And seing we hope your Majestie is duelie advertised and informed, we will end the present, kissing most humblie your Majestie's hand, praying God with all our affectioun to grant you full accomplishment of all your holie interprises.

"From Edinburgh, this 24 of Januarie, 1589.

"Your Majestie's most humble and affectioned servitours,

"George Erle of Huntlie, etc.,

"in name of the Lords Catholicks in Scotland."

ANOTHER LETTER DIRECTED FROM THE ERLE OF HUNTLIE TO THE DUKE OF PARME, INTERCEPTED IN JANUARIE, ETC.

"My Lord,—I have receaved from Johne Chisholme the letters it pleased your Highnesse to write the 13 of October, full of most Christian affectioun to the weale of our caus, for the which I give

your Highnesse most humble thankes. The support of ten thowsand crownes sent to that end is receaved by Mr Robert Bruce, which sall not be imployed but for the helpe of the most urgent necessitie of the said caus, as it hath pleased your Highnesse to direct. After the departure of Colonell Sempill, I have found myself so boasted on all hands, and preassed in suche sort by our king, that it behoved me to yeeld to the extreme difficultie of tyme, and subscrive with his Majestie (not with my heart) the Confessioun of their Faith, or otherwise I had beene forced immediatlie to have departed the countrie: or to have taikin the feild for resisting his forces, or suche as he might have drawin out of England for his aide; which I could not have done, speciallie then, when, by the returning of your armie into Spaine, all hope of helpe was taikin from us. But if, on the one part, I have failed, by the apprehensioun of dangers that threatned my ruine, I sall, on the other part, endeavour myself to amend my fault, (wherof I repent me with all my heart,) by seene effect, tending to the weale and advancement of the caus of God, who hath putt me in suche credit with his Majestie, that since my comming to court, he hath brokin his former guardes, and caused me establishe others about his persoun, of my men, by the moyen of whom, and their captans, who are also myne, I may ever be maister of his persoun; and your support being arived, spoile the hereticks of his authoritie, to fortifie and assure our enterprises. Wherupon, I beseeke your Hienesse to send me your advice, and to assure your self of my unchangeable affectioun in my former resolutions, albeit the outward actions be forced to conforme themselves sometimes to necessitie of occasiouns, as Mr Robert Bruce will more amplie write unto your Hienesse, to whom I remitt me farther; praying God, after I have most humblie kissed your Hienesse' hand, to give you accomplishement of your holie interprises.

"From Edinburgh, the 24th of Januarie, 1589.

"Your Hienesse' most humble and affectioned servitour,

"G. Erle of Huntlie."

A LETTER FROM THE ERLE OF ERROLL TO THE DUKE OF PARME, INTERCEPTED IN JANUARIE.

"My Lord,—Since God of late, by the cleere light of his holie Catholick faith, hath chaissed from my understanding the darkenesse of ignorance and errour, wherin I have beene heeretofore nourished, I have beene als soone perswaded in acknowledging so great an effect of his divine grace toward me, that I am cheefelie obliged to procure, since I know the interprises of his Majestie Catholick, and your Highnesse, tend principallie to that end, as also, to the advancement of some civill caus, (which hath verie great affinitie and conjunctioun with ours heere,) that I must testifie, by the present, the affectioun that I have to the weale of the one and the other; having ever, before my conversioun, beene one of the number of your freinds and servitours; for the respect of the last, to the which the first of religioun (which is the greatest and most important in the world) being joyned, I am also become altogether yours; which I beseeke most humblie your Hienesse caus be signified to his Majestie Catholick, and to promise in my behalfe, that he hath not in this countrie a more affectioned servant than I, nather yitt your Hienesse, as yee sall understand more amplie of my intentioun in particular, by him by whom your Hienesse sall receave this present. To whom, after I have most humblie kissed your hand, I beseeke the Creator to give the accomplishement of your holie desires.

"From Edinburgh, the 24th of Januarie, 1589.

"Your Hienesse' most humble and most affectiouned servitour,

"Francis Erle of Errol."

A LETTER FROM ROBERT BRUCE TO MONSIEUR FRANCIS AQUIRRE, ESPAIGNELL, &C., INTERCEPTED IN JANUARIE, 1589; WRITTIN IN FRENCHE, AND TRANSLATED IN SCOTISH, AS FOLLOWETH.

"MONSIEUR DE AQUIRRE,—I have receaved your letter of the nynth of November, writtin from Antwerpe, whereby I was glade to understand of your arrivall there, and health, and that yee have guided your self so wiselie, in executioun of all that I committed to you. Your maister, who at my requeist hath givin you interteanement, hath givin me the like testimonie of your behaviour; and hath promised unto me by his letters to have you in the favourable commendatioun I desired, and to imploy you in good occasiouns. If he send you heere again in thir parts, caus sett you on land neere Setoun, where I pray you to enter secreitlie; and there you sall be keeped, whill I may come and find you," &c.

The rest of this missive being sett doun in obscure termes, is to be found in the originall.

A LETTER FROM ROBERT BRUCE TO THE DUKE OF PARME, INTERCEPTED IN JANUARIE, 1589, LATELIE BEFORE THE ROAD OF THE BRIDGE OF DEE; CIPHERED IN FRENCHE, DECIPHERED THERAFTER, AND TRANSLATED IN SCOTISH, AS FOLLOWETH.

"MY LORD,—Monsieur Chisholme arrived in this countrie four dayes after his departing from thence, and with requisite diligence came to the Erle of Huntlie, in his owne hous in Dumfermline; where, having presented unto him your Hienesse' letters of the 13th of October, he declared amplie to him the credit givin him in charge, conforme to the tenour of the letters from your Hienesse, wherin they perceaved your Hienesse' great humanitie, and affectioun to the advancement of the glorie of God in this countrie, with other consolatiouns most convenient to moderat the dolour and displeasure conceaved by the hearts of the Catholicks, by reasoun of the successe of your armie, against their hope and expectatioun;

also, some dayes therafter, as the commoditie offered to me to receave the money, the said Chisholme delivered unto me six thowsand, three hundreth, threescore, twelve crowns of the sunne, and three thowsand seven hundreth Spanish pistolets; and likewise, hath caried himself in all his actiouns sensyne verie wiselie, and as became a man of God; cheefelie then, when upon the suspicioun conceaved of his so suddane returning, the king sent to gar take him. I sall behave my self by the grace of God in the keeping and distributing of the money last sent, and of that which resteth yitt of the first summe, according to your Hienesse' prescriptioun, and according as I ought to answere to God in conscience, and to your Hienesse in credit, and to the whole world in the reputatioun of an honest man; and sall manage it in suche sort, that, by the grace of God, there sall be fruict drawin therof, pleasant to your Hienesse.

"It is true, that I find (as all others would doe that would enterprise suche a charge heere) my self involved in great difficulteis; for, on the one part, I am in great danger of the hereticks, and of them of the factioun of England, by reasonn of the opin professioun that I make of the Catholick religioun, and of the suspicioun that the last have of my secreit practises and dealing against them; on the other part, I have much adoe to moderat the appetite that some Catholick lords have to have the money presentlie, for the hope they give of some pretended occasiouns, which will never fall out as they promise. The Erle of Huntlie made instance, to have the thrid part of the summe which was sent heere, als soone as it was delivered to me. But he hath not tuiched, nor yitt sall tuiche heerafter, a mailyie, but upon good tokins. I have payed him in the meane tyme with inexpugnable reasouns, wherof in the end he is content. I beseeke your Hienesse, by the first letter it sall please you to write in thir parts to the Catholick lords, to remove an errour from three who have written there in name of the remanent, that moveth them to thinke, by reasoun they were the first that made offer of their service to the Catholick king, that all the money that cometh heere sould be parted in three, and immedi-

atlie after the arrivall therof, delivered to them without giving part to others, which beside them are in great number, to the king Catholick's service and yours, and alsua deliberat to hazard after their power, for the advancement of this caus, as they are; of whom the others will not depend in anie sort, in accepting of the moyens that come from your liberalitie, but acknowledging them as comming directlie from your Hienesse, to whom onlie they will be bound and obliged, and not to the other three. Of the which the Erle of Morton hath hitherto contented himself with reasoun, as also the Erle of Huntlie hath never shewed himself subject to money, but since he hath beene enduced by the thrid, viz., my Lord Claud Hammilton, his uncle, who is somwhat covetous of gear, and thought under suche pretext to make his profite.

"The said Erle of Huntlie is constrained to remaine at court. He is fallin from his constancie in his outward professioun of the Catholick religioun, partlie for having lost all esperance of your support, before the returning of the said Chisholme, becaus of his long stay there; partlie by the perswasion of some politicks; partlie to eshew the perrells imminent to all them that call themselves Catholicks; partlie to keepe himself in favour of his king, who pressed him greatlie to subscribe the Confessioun of the hereticks, and to league with England. But for all this, his heart is no wise alienated from our caus; for he hath the soule ever good, albeit he have not suche vigour to persevere and execute suche as is requisit in so great an interprise. But they may helpe these defects, putting beside him a man of credit, resolute to assist him, as we have advised to doe, since the Baron of Fintrie is putt in waird by the king in the toun of Dundie, so that he darre not goe out of the ports therof, under the paine of a great summe, whill the occasioun may be offere to depart the countrie within the time limited; and I, by the king's commandement, am discharged to come neere the said erle, becaus they have attributed to the said Laird of Fintrie and me his constancie in the Catholick religioun, and his absence from court against the king's will. His wairding has somwhat hindered our course, and permitts me not to move him as it hath pleased

you to command me, and as I desire, to dispense the money conjunctlie with me; so that for the support of the default of him, I have associat to the same end a verie honest man, and verie wise, called Father William Crichton, Jesuit, who was deteaned some yeeres in the Towre of London, after he was tane upon the sea comming toward this from France. Likewise, I sall helpe my self by the prudence of Sir James Chisholme, eldest brother to the said Johne who brought the money from your Hienesse; for he is a man confident and wise, and one upon our part, and verie little suspected. In the meane tyme, the one part of the money is in the principall hous of my Lord Livingstoun, a verie Catholick lord; the other heere in Edinburgh, in great eneugh securitie to helpe as it sall neede the lords Catholicks, who will conveene verie soone heere, to resist to the designes of these of the factioun of England, who, in the same tyme, are purposed to remaine at court with forces, to rainge all things at their phantasie. As for the like summe or greater, which your Hienesse willeth to caus follow the last sent heere, it is good in all events it were verie soone sent heere secreitlie, to help the necessitie that may fall out, and to caus things inclyne into our side, when they are in ballance, as there is great appearance they will be by the occasioun foresaid. And incace that necessitie require no distributioun, the said summe sall be keeped and reserved to better occasiouns, or whill the arrivall of your forces in this Ile.

"There is suspicioun, as also arguments probable eneugh, that Thomas Tyrie, who has brought heere your Hienesse' letters to our king, hath not behaved himself according to his duetie: for he hath accommodat himself in his behaviour more after the affectioun of our Chanceller, (who is of the factioun of England, and abuseth the credit he hath with the king,) nor according to the instructions givin unto him there. He hath not presented, nor made mentioun to the king, of Colonell Sempill's letter, wherof I have caused present the copie to his Majestie by the Erle Bothwell, as if it had beene sent to him, with another of the said colonell's to himself, which he receaved from Thomas Tyrie at his arrivall, who hath re-

ported to the said Chanceller all that Seigneur Don Bernardino spake to him in Parise, to the disadvantage of the said Chanceller. Also, he hath reported to the king, that my Lord Bishop of Dumblane being returned there, spake to your Hienesse and to others, manie things to the great prejudice of his Hienesse; and it is beleeved also, that he is the caus of the suspicioun which is conceaved, of the comming of the said Johne Chisholme newlie to the said bishop. However it be, the other reports foresaid which he hath made have not served to conciliat, but to alienat the affectioun of the king, of the chanceller, and manie other hereticks, from the said Seigneur Don Bernardino, the said bishop, and Catholicks heere that have adoe with them.

"As for me, albeit I speeke not willinglie to the disadvantage of anie whatsomever, cheefelie of them whom I have recommended, as I did the said Thomas Tyrie to the said Don Bernardino, yitt I will preferre the love of the truthe to men, and would not, in concealing therof, bring prejudice to the publict weale, nor to the fidelitie that the one ought to others, and speciallie to that we ought all to the King of Spaine, and to your Hienesse, to whom I am presentlie servant, particularlie addicted by the obligatioun of five hundreth crowns of fee, and fourtie for monethlie interteanement, which it hath pleased your Hienesse freelie to give me, in name of the King of Spaine, unbeing required for my part, nor other thing for my particular to this present; by reason wherof, I am the more bound to give your Hienesse most humble thankes, and to endeavoure my self to deserve, by my most humble and faithfull service, als weill the said interteanement, as the recompence it hath pleased your Hienesse to promise me of your grace and favour. The said gifts of your liberalitie come to me weill to purpose, seing, by reasoun of the danger of my person, it behoved me to augment my ordinarie tryne, for my greater securitie, which I was not able longer to have borne out without helpe; for from all the lords of Scotland I have not reteaned but a part onlie of the money, which I spended travelling for the weale of this caus in Spaine, with his Majestie Catholick, and with your Hienesse in

the Low Countreis. As for the foure hundreth crownes imployed for the deliverance of Colonell Sempill out of prisoun, I have putt it in compt, with the remanent, which I debursed of the first summe, according as it hath pleased your Hienesse to command me.

"The Erle of Morton,[1] to whom I have givin consolatioun by writt, in prissoun, hath instantlie prayed me also by writt to remember his most affectiouned service to your Hienesse, finding himself greatlie honoured by the care it pleased you to have of him. By the grace of God he is no more in danger of his life by way of justice, it not being possible to his enemeis to prove against him anie thing which they had supposed in his accusatioun; as also, the king's affectioun [is] not so farre alienated from him as it hath beene heretofore. And incace they would noy him, or that it were presentlie requisite for the weale of our caus to deliver him, we have ever moyen to gett him out of prisoun, and abide not in the meane tyme but the king's will toward his libertie, onlie, to avoide all persute that they would make, if we delivered him extraordinarilie. When they offered him in the king's name his libertie, if he would subscribe the Confession of the hereticks' faith, he answered, he would not doe it for the king's crowne, nor for an hundreth thowsand lives, if he had them to lose; and hath offered to confound the ministers by publict disputatioun. I sall solicite the lords, his freinds, to procure of the king his libertie verie soone, for he importeth the weale of our caus more than anie of the rest, by reasoun of his forces, which are neere England, and the principall toun of Scotland, and the ordinar residence of our king; as also, he is the lord the most resolute, constant, and of greatest executioun of anie of the Catholicks.

"It is no small mervell, considering the moyen the hereticks have to harme us, and their worldlie witt so farre passing ours, and their evill will and intentioun against us, that we subsist. Truelie, we can not but attribute the effect thereof to God, who (then when the certane newes of the returning of the armie of Spaine by the

[1] *Alias* Lord Maxwell.—*Note in the MS.*

backe of Ireland were dispersed through this countrie, and the hereticks of the factioun of England triumphed, and the constancie in the outward professioun of the Erle of Huntlie and others was brangled) caused the Erle of Angus to dee, who was cheefe of the English factioun; and the self-same tyme, suscitat some dissensioun among the hereticks, by reasoun of some offices that some pretended to usurpe above others at court; and by the instant prayers and nolie perswasiouns of two fathers, Jesuits, converted to our holie faith two hereticks, erles of the first of authoritie and power amongst them, the one wherof is called the Erle of Erroll, Constable of Scotland, converted by Father Edmund Hay; the other, called the Erle of Crawfurd, converted by the said Father William Crichton. They are both able and wise young lords, and most desirous to advance the Catholick faith, and your enterprises in this Yle, which they are deliberat to testifie to his Majestie Catholick and your Hienesse, by their owne letters, which, by the grace of God, I sall send with the first commoditie. In the meane tyme, they have required me to make you offer of their most humble and most affectioned service, promising to follow whatsomever the said Jesuits and I sall thinke good to be done for the conservatioun of the Catholicks; and to dispose and to facilitat the executioun of your interprises heere, which they may doe more easilie nor they that are knowne to be Catholicks, whose actions are ever suspicious to the hereticks for their religioun, wherof the two erles have not yitt made outward professioun, but in that, as in the rest, they submitt themselves to our will, and to that we find most expedient.

"The saids Fathers of that companie make great fruict in Scotland; and so soone as a lord or other person of importance is converted by them, they dispose and inclyne, in the verie meane tyme, their affectioun to the service of the King of Spain and your Hienesse, as a thing unseparablie conjoyned with the advancement of true religioun in this countrie. If I had commandement of your Hienesse, I would give them some little almous in your name, to helpe them, and eight others, whereof foure are also Jesuits, and other foure are Seminarie preests of Pontawmoussone, in Lorane,

which are all the ecclesiasticks that produce so great spirituall fruict in Scotland, and acquire to you heere suche augmentatioun of your freinds and servants.

"After the parting of Colonell Sempill from this, the lords sent letters with the said Father Crichtoun, and other gentlemen, after the armie of Spaine, to caus it land in this countrie; but it had taikin the way to Spaine, few dayes before their arrivall at the Iles, where it had refreshed the self, so that it was not possible for them to attend on it. They of this countrie that are of the factioun of England were in a mervellous feare during the incertitude of the landing of the said armie; and confesse plainlie, if it had landed heere, they had beene alluterlie wracked.

"The Erle Bothwell, who is Admirall of Scotland, and als galyeart a lord as anie is in the countrie, albeit he make professioun of the new religioun, yitt is he extremelie desirous to assist you against England, having listed and interteanned all this sommer (under pretext to goe dantoun the Iles) some troups of men of warre, which, together with his forces ordinar, sould have joyned with yours, if they had come heere. He suffereth himself peaceablie to be guided by me, notwithstanding the diversitie of our religioun; and hath oftin tymes said, that if the Catholicks would give him suretie to possesse, after the restitutioun of the Catholick religioun, two abbeys which he hath, that he sould be even presentlie one of ours. He intendeth to send the Colonell Halkerstoun, to accompanie certan captans and gentlemen to Spaine, and almost foure hundreth souldiours, all safe from the naufrage in our Iles. And becaus they are in great necessitie, he is purposed to accommode them with shipps, victuall, and other things necessar, to testifie thereby to the King of Spaine the affectioun he hath to doe him most humble and affectioned service: and, if we thinke it good, he hath offered himself to goe out of the countrie, and to goe offer himself to your Hieness in the Low Countreis; and by your advice therafter, doe the like to his Majestie Catholick in Spaine. But heerupon we sall advise upon the most expedient. If we may alwayes be assured of him, he will be als profitable for the weale of

our caus as anie lord in Scotland; for he hath great dependance about this toun, which is the principall of Scotland, as also upon the frontiers of England. He hath offered to mainteane and defend me against all that would attempt against me.

"We have chosin for everie Catholick lord a gentleman of the wisest and most faithful Catholicks, and beloved of their freinds, to serve them of a counsell, and to conveene at all occasiouns, to resolve the most expedient that may concerne the weale of our caus, according to the will and intentioun of their lords, who have obliged themselves to approve and execute their resolutiouns, and no wise to contraveene the same. And by that moyen, we hope to proceed with greater soliditie and effect than we have done heeretofore. Alwise, they sall know nothing of our intelligences there, nor our finall intentiouns, but according to the exigence of the effaires sall be in hand, and that superficiallie, and without discovering ourselves over farre. Your Hienesse sall understand by the particular letters of the lords, that which resteth to be said to you by thir presents; by reasoun wherof I will make end; most humblie kissing your Hienesse' hands, and praying God to give you all the good hope and felicitie you desire.

"From Edinburgh, the 24th of Januarie, 1589.

"Your Hienesse' most humble and affectioned servitour,

"Robert Bruce."

MATERIALL POINTS IN THE LETTERS OF THE ERLES OF HUNTLIE, MORTON, HAMMILTOUN, AND ROBERT BRUCE, SENT IN CYPHER TO THE KING OF SPAINE AND THE DUKE OF PARMA, 24TH JANUARY, 1589.

That the Erles of Huntlie and Mortoun, and Claud Hammiltoun, have intelligence with the King of Spaine and the Duke of Parma, as appeareth by these their letters joyntlie to the king, and the Erle of Huntlie's severallie to the duke; which intelligence hath continued a long time, they having made offer of their service to the said king, in name of all the Catholick nobilitie, as appeareth by Bruce's letter to the Duke of Parma, and accordinglie by Bruce have

addressed themselves from tyme to tyme to the said Duke of Parma, to whom they were referred by the King of Spaine, as may appeare by their joynt letters for advice and directioun in this behalfe.

That they were readie to receave the Spanish fleete comming thither the last yeere, for suppressioun of the religioun professed in this yland, with forces sufficient to assist the same, both against the enemeis of Poprie in that realme, and to annoy England; and that they were sorie the Spanish fleete passed by without landing in Scotland, their owne letters testifie.

That they did send Crichtoun, the Jesuit, with certane gentlemen, after the said Spanish fleete, to caus them to stay and take land in Scotland, for subversioun of the religioun there now professed. (Bruce to the Duke of Parma.)

They solicite the King of Spaine to renew his invasioun of this yland, by the way of Scotland; whose apparent designes are, suppressioun of the Gospell, as themselves confesse, but finall intentiouns are suche as Bruce (in his letter to the Duke of Parma) sayeth sall be keeped and concealed from their owne instruments, whom they have selected for a counsell of the best Catholicks of everie familie, for the caus of religioun. So as they cannot be judged to be other than tending to the captivitie of the king, and conqueist of the whole iland.

Bruce hath receaved heeretofore diverse summes of money, and latelie ten thowsand crownes, by Johne Chisholme; and looketh for als muche more to be sent shortlie from the Duke of Parma, to be distributed among the Catholick nobilitie, and employed for the executioun of some great interprise in Scotland, (as appeareth by his letter,) with the assistance of the King of Spaine's forces, required by the joynt letter of Huntlie, Mortoun, and Hammiltoun, in the name of all the Catholick nobilitie, and Bruce's letter.

That these interprises to be executed in Scotland are for the King of Spaine and Duke of Parma his service. (Bruce's letter.)

That the Duke of Parma, upon their solicitatioun by Chisholme, hath offered to come in person to assist them, as may appeare by Chisholme's letter to Colonell Sempill.

That Huntlie dissembleth his religioun, as himself confesseth in

his owne letter to the Duke of Parma, for to make himself maister of the king's persoun. And so, the Spanish souldiours arriving to strengthen his interprises by colour of the authoritie, having for that purpose wrought the change in the king's guard, appointing suche as are meerelie at his owne devotioun; and requireth the Duke of Parma his farther advice in that behalfe.

That the Erles of Erroll and Crawfurd are seduced from the religioun, and to the service of the King of Spaine, by the practise of Hay and Crichtoun, the Jesuits, who, with the rest of that sect there, doe daylie draw men to Poprie, and so to the King of Spain's service in this yland; things thought to be inseparablie joyned together. (Bruce to the Duke of Parma: The Erle of Erroll to the duke.)

That Bruce is the King of Spain's feed servant, and hath receaved five hundreth crownes from the Duke of Parma, and hath an interteanement of fourtie crownes a moneth. (His owne letter to the duke; his letter to Sempill.) Hath of long tyme negociated these things with the king in Spaine, and the duke in the Low Countreis. (His owne letters.)

That the Catholick lords have a plott to take Maxwell out of prisoun at their pleasure. (Bruce to the Duke of Parma.)

That the Erle Bothwell is practised by Bruce to joyne in these causes, (his letters to the duke,) having by Bruce alreadie offered his service to the King of Spaine and Duke of Parma, and meaning to send Hackerstoun presentlie with the wracked Spainards there to the king for the same purpose.

That Johne Chisholme, who brought the money into Scotland from the Duke of Parma, abused the King of Scotland with false pretences of his returne. (Bruce to the duke.)

They have informed the King of Spain's subjects scattered heere of the means to doe good by landing in Scotland, and how to assault this iland heereafter.

With six thowsand men sent from Spaine, and money to levie a power in Scotland, they will in six weekes be farre in England.

Letters were receaved from the Duke of Parma by Johne Chisholme.

By reserving the money to better occasiouns which was sent by the Duke of Parma, is meant that the Spanish forces sould arrive in this yland.

OTHER LETTERS NOT EXTANT IN PRINT.

A LETTER FROM ROBERT BRUCE TO COLONELL SEMPILL, THE 24TH OF JANUARIE, 1589.

"Since the recept of your letter from Johne Jamesone, (*Johne Chisholme,*[1]) I wrote to you at suche lenth as the shortnesse of time suffered me, and sent my answere by one called Johne Abercrumbie, who departed heerfra in the barke wherin Thomas Tyrie arrived. I prayed you to excuse me that I might not write then to our Miller, (*the Duke of Parma,*) and in the meane tyme signified unto you, how I had receaved from the said Jamesone, (*Chisholme,*) bearer, six chalders, two bolls, and threescore twelve lippeis of Frenche stuffe, (6272 *French crowns,*) and three chalders and sevin bolls of Spanish victualls, (3700 *Spanish pistolets,*) comprehending the foure bolls (*hundreth*) which yee have reteaned, of the which altogether I have givin him a discharge, and have answered to our Millar, (*Duke of Parma,*) tuiching your foure bolls, (*foure hundreth,*) as yee willed me, both by your letter to me, and the directioun givin to Johne, your man. And as for the other two bolls (*two hundreth*) which I had charge to receave of your sister, I never as yitt made mentioun of them unto her, but abode your owne will therin, as I promised, conforme to your desire, which I sall obey als at this present concerning this mater; and sall be likewise readie, in tyme comming, to doe whatsoever yee will lay

[1] In the MS. history, the words printed in italics, and within parentheses, are given in the form of notes; but it is hoped that by being incorporated in this manner with the text, they will be more intelligible to the reader.

to my charge, for your weale and contentment, for to keepe inviolablie the mutuall correspondence, freindship, and brotherlie love which I ought unto you, who hath begunne alreadie so faithfullie with me, that I feare I sall never be able to requite it with the like pleasures in due estimatioun. Alwise, my true affectioun sall never be inferiour to my duetie toward you, of whom I understand the five bolls (500 *crowns*) allowed to me, and some interteanement monthlie, which is come unto me in due seasoun. For in respect of so manie imminent dangers as threattin travellers, I have beene forced to augment the number of my mariners, (*servants,*) which I could not goodlie have susteaned, without that helpe which beareth more nor the halfe of my ordinarie charges. If yee thinke expedient, yee may procure encreassement therof at our Landslord's (*King of Spaine*) hands, when yee goe to him; as also, that I may have the charge and commandement, or the like to it, we speeke of at our last heere being, when as it sall be time to beginne our trade, (*interprise.*) In the meane tyme, I pray you to advertise me of your will in all things, which I sall follow preciselie, together with the prescriptiouns alreadie sent by our Millar, (*Duke of Parma.*) And becaus I may not myself deale with everie one of our partners, (*confederats,*) whose number is increassed, as yee will understand by our letters sent to our Millar by the advice of Davidsone (*Crichtoun*) and of the Men, (*Jesuits,*) unto the which yee granted once before your departing a boll of victuall, (*a hundreth crowns,*) to helpe their urgent necessitie, we have appointed to everie one of them a factour, (*counseller,*) which sall conveen ordinarilie, for to resolve what sall be best to be done at everie occasioun that may be presented. And to thir factours' (*counsellers'*) good advices are all our partners (*confederats*) bound, in the forme of their traffique (*practises*) and proceedings. So that now, we may say, that we have a more assured way to profite than ever we had; and I hope that of the same yee sall understand shortlie some good fruict to ensue to your contentment; for the number and goodwill of our partners (*confederats*) increasseth daylie, and occasiouns are offered to profite at these which onlie, and at these cheefelie which cannot

be omitted. I sall expose our victuall to be solde, (*distribut our money,*) which if yee pleased to caus augment, as yee have writtin, it were for the best. For things may so fall out, that we may obteane the whole trade of this countrie in our hands, (*draw the whole governement in our hands, by possessing the king's persoun,*) which we will not be able to interteane, without greater abundance of merchandice, (*treasurie,*) wherof there sall never knowledge be had through me, but when I must bring it to the mercat to sell it, (*distribut or employ it.*) The Pilot (*Erle Huntlie*) knowing of this last victuall, by our Millar's (*Duke of Parma*) letters, and the bearer's report, made great instance to have the thrid therof delivered incontinent in his hand: but I payed him onlie with reasouns, wherunto he could no wise resist. For he, for his particular, was in no necessitie, having an ease, by his subscriptioun against his promise made unto us, and by us in his name unto others. And as for the weale of our trade, (*enterprises,*) there was then no occasioun serving therunto, nor wherin he might profite, being in the estate wherunto he had reduced himself. Therefore, if he would not effectuat some thing of himself to recover his good name, defyled by his last misbehaviour, I could not credite him of no victuall, (*money,*) except I would lett it appeare that I betrayed my maister, giving his goods for no effect, and to them that keeped not tuiches unto him. Truth it is, that being so long without word after your departing, he was almost despaired of a good successe: hearing together so manie things reported to our disadvantage, and being pressed extraordinarilie by his Maister, (*the King of Scots,*) and together being enduced by some men's evill perswasiouns, he stood not therefore by his promise. Alwise he repenteth himself greatumlie now, and seeketh to amend faults by some desired effect. Your man hath not remained in his hous, but upon his owne charges, for suche causes as he can shew you; and speciallie, becaus the Pilot (*Erle of Huntlie*) feared to bring himself in suspicioun. Johne Jamesone (*Chisholme*) hath behaved himself verie honestlie in all his proceedings; but Thomas Tyrie hath not done his duetie to you, for he never did enquire for me after his heere comming. And

when I sent Mr Edward Foster to him, to know if he pleased to speeke with me, he shew he had nothing to me but commendatiouns from freinds; but this is little or nothing, if he had not omitted to present Innocent's (*Colonell Sempill*) letter for the pleasure of his Competitour, (*Chanceller,*) who hath caused his Maister (*King of Scots*) write to Innocent's (*Colonell Sempill*) disadvantage, knowing nothing of his good will towards him by his letter, wherof Ducher (*Robert Bruce*) caused present a copie by our Nighbour (*the Erle Bothwell*) unto his Maister, (*King of Scots,*) who liked verie weill therof, and shew that he had never heard of it before he had directed and sent away an answere to the other. I wrote to the said Thomas, to know how he had proceeded, and receaved of him the answere heerewith enclosed, wherby yee will perceave the shifts. I have not seene your servant, Johne, since his heere comming, becaus he hath beene ever sensyne in the West land; and I feare that this shippe sall depart before that we may heare from him. I trust yee sall understand of him, (when he sall be readie to goe,) of some thing that sall fall out for the weale of our trade (*enterprise*) er then. Tuiching our directiouns there, I sall doe as yee have ordeaned, as likewise in all the rest; wishing of God a good successe in our a-does both heere and there, and to you in particular, all the prosperitie yee desire.

"From my residence in Leith, this 24th of Januarie, 1589.

"*Postscript.*—Pitifull and most sorrowfull are the newes that are come heere through England, of the Duke of Guise his maner of death, wherewith we are all greatumlie dejected for sindrie consideratiouns. God of his goodnesse have mercie on us, and send us some consolation for so great displeasure. Our soverane hath lost the best freind he had in the world. I am so hamelie, as to send you the measure of the coat yee pleased to desire of me, which I pray you caus make for the pistoll behind and before; and to send me the head peece, with the rest that is most requisite, and I sall pay the whole together, with the price of the swords, wherof I would be glade to have one long and stiffe for the calsey, and another shorter

and braid to have on horsebacke. If Francisco come heere, I would be glade he brought with him an horse of service under seven yeeres old, and I sall pay whatsomever he sall give for him. Suche as sall be sent heere in tymes comming caus putt them furth of the shipp, with their cockeboate, on land, beside Setoun, where entering quietlie they will be receaved, and gett knowledge of me. I have delivered to your servant, present bearer, (*Colonell Sempill's man,*) (who hath ever remained heere upon his own charges, and, therefore, was skant of silver for his voyage,) twelve crowns of the sunne, which it will please you to caus allow.

"Your loving brother at command,

"GLENKELVIN."

THE COPIE OF THOMAS TYRIE'S LETTER TO ROBERT BRUCE.

"RIGHT HONORABLE SIR,—After my duetie remembred; it will please you witt, I receaved your letter this Saturday after noone at Broughtie, whereby I understand that yee have beene desirous to have conferred with me since my arrivall. It is true that I have beene, and am earnest, in like maner, to speeke with you, if your effaires would suffer. Mr Edward Foster required of me once, if I had anie letter from you, but spake no farther to me. As to the successe of my particular effaires, by your addresse and recommendatioun it hath beene, I thanke God, indifferent; wherefore, I am yitt obliged to your good will, which I sall carie a good minde to acquite, when ever occasioun sall serve. As to the estat of our freinds in France, and where I come fra last, it is in the old maner, and as yee would wishe; but that I have anie thing to communicat to you from them, truelie I have none, save that Colonell Sempill desired me, if I saw you, to require your counsell, whether it sould be needfull or not to crave an obligatioun from the Erle Bothwell of the thowsand crownes the colonell lent to the said erle at his heere being. I have dealt with the Erle Bothwell in that mater, who promiseth to give me the obligatioun when it sall please me, and in what forme I like. To the letters I brought his Majestie,

he hath verie thankfullie receaved his owne letters, and is glade thereby to understand his good will toward him; and by my earnest dealing with the king, before my comming from Edinburgh I procured his Majestie's answere therunto, and have dispatched the same to the law-pursuers before I departed from Leith. To Colonell Sempill's owne letter, I have shewed the king's Majestie therof, but have not yitt delivered the same, becaus the king maketh difficultie to receave the said letter, in respect, as he alledgeth, of the colonell's misbehaviour at his heere being. But I beleeve he sall be shortlie better minded toward the said colonell; for his Majestie seemeth to be weill contented that the correspondence sould increasse betuixt him and the Duke of Parma, unto whom he promiseth to give mutuall satisfactioun in all things he can crave at his hands. The king hath promised at my over comming againe, which sall be shortlie, to receave the colonell's letter. I will doe no lesse for the said colonell nor lyeth in me. Beleeve, Sir, for thir answeres sall satisfie you; for truelie I can write no farther nor is above mentioned to the answere of your letter. But if I might see you, I would speeke more freelie of all things nor I can write. Alwise, I remitt this to your wisdome. If anie thing ly in me that may be agreeable to you, yee may assure yourself therof; for I will be laith to be ingrait for the good will and benefites I have alreadie receaved of you, and for the freindship also I look for at your hands, as one of my most speciall freinds. Not willing to trouble you farther at this time, I pray God keepe you, and send you good successe in all your effaires.

"From Broughtie, presentlie after the recept of your letter.

"By yours to be commanded with service,

"TYRIE.

"If it please you to advertise me of your leasure, I will await therupon, to have conference with you."

HUNTLIE AND LORD CLAUD WAIRDED.

These letters being read in Counsell, and in presence of the Erle of Huntlie, he offered to enter in what waird his Majestie pleased till he were tryed. The place of wairding being at his owne choice, he choosed the Castell of Edinburgh. The Laird of Coldingknowes, captan of the castell, was appointed to convoy him to his waird. When he was above the Tolbuith, his freinds accused him of feeblenesse and negligence, in not stirring his tyme when he might. The captan perceaving him to linger, asked whether he would obey or not? being minded to advertise the king, incace he refused to enter. He yeelded, and went fordward. The Erle of Montrose convoyed him to the castell. Erroll went not so farre; but taiking his leave, went to some secreit hous apart from his domesticks. The Bailiffe of Erroll did the lyke, howbeit that some spread the rumour, that Erroll was gone over the walls. The king cometh doun that night about halfe houre to nyne, to Chanceller Matlane's loodging. The day following, the king and chanceller went up to the castell, and dynned with Huntlie. The king kissed him often, and protested he knew he was innocent. Claud Hammiltoun was summouned to compeere before the counsell upon six dayes wairning. It was appointed that Huntlie sould come furth, demitt the guarde, and returne to his owne countrie, and that Claud Hammiltoun enter in the castell. Lord Claud denyed obstinatlie in Chanceller Matlane's loodging, that he was privie to anie suche letters. The citicens of Edinburgh were in their armes the dayes that Huntlie and Lord Claud were examined. Huntlie came doun the street weill accompanied with his freinds, about two hundreth men, and Lord Claud entered in the castell the same verie houre. Before Huntlie came furth, the duke, the Pryour of Blantyre, accompanied with some horsemen, road to Callander, having commissioun to search for some Spanish gold which was thought to be there. But they returned without it, and the Lord Livingstone came in to the king.

HUNTLIE COMETH NOT TO THE BANKET WHICH HE HAD PREPARED.

Huntlie being sett at libertie, was laith to depart. Some noblemen fearing danger, moved the king to urge him with his promise. He seing no remeed, caused prepare a bankett to the king and nobilitie in Jonet Fockart's hous, that after dinner they might sunder with lesse suspicioun of variance. The king went out to the hunting with Huntlie, where Erroll mett with him also in the feilds. After some conference, they both departed, and the king returned to the prepared dinner without Huntlie his oast, who invited him; for Huntley had beene informed that the toun was in armes, which was not so indeid, onlie the proveist caused give privie wairning to the burgesses to have their armour and weapons in their boothes, readie for whatsomever adventure, becaus he had heard that there was a variance among the nobilitie. Before Huntlie and Erroll parted from the king, they desired him to goe with them. He refused, and threatned if they attempted anie suche thing against his heart, they sould never have his heart, and if ever he find his tyme, to be revenged.

In the beginning of Marche an act of Counsell was made, at the instance of ministers presenting their petitiouns for suppressing the traffique of Jesuits and Seminarie preests, etc., which was after published, and at last printed, together with the band mentiouned in it, and the Confessioun of Faith, with blankes for the names of subscribers. The act and band heere follow.

THE ACT OF SECREIT COUNSELL, MADE MARCHE 6, AND PUBLISHED THERAFTER AT THE MERCAT CROCE.

"James, by the Grace of God, King of Scots:—To our lovits, etc., messingers, our shirreffs in that part, conjunctlie and severallie, speciallie constitute, greeting. Forasmuche as by act of our Parliament, intituled, 'Anent the Triell and Punishement of the Of-

fence of the Adversareis of the True Religioun presentlie professed within this Realme,' it is statuted and ordeanned, that whatsoever professed and avowed Jesuits or Seminarie preests sould be found in anie part of our realme, within the space of a moneth after the publicatioun of the said act, which was duelie published upon the 14th day of August, the yeere of God 1587 yeeres, sould be taikin, apprehended, called, persued, and incurre the paine of dead, and confiscatioun of all their movable goods; and whoever wittinglie or willinglie sould receave or supplee anie of them therafter, by the space of three dayes or three nights together, or severallie at three tymes, upon certane knowledge that they are persons of that professioun, being lawfullie and orderlie convicted of the same, sould incurre the tinsell of their lyverents; and that they, as also the sayers or hearers of the Masse, or profaners of the Sacraments, or other persons suspected to have declyned from the true religioun, or refusing to resort to the preaching of God's Word, or whatsoever persoun that sould be reasoning or dispersing of bookes and letters, presume to perswade anie of our subjects to declyne from the professioun of the said true religioun, being called to compeere and answere therupon before us and our Privie Counsell, or anie five of them, (our Chanceller and Clerk of Register being two of that number,) ather by the confession of the saids persons accused, or by the depositioun of diverse famous witnesses; or if the saids persons being called and adjudged criminallie, (incace we and the Lords of our Privie Counsell sall so thinke good,) and were found culpable and guiltie of the premisses, that they therethrough sould incurre the paine of tinsell of all their moveable goods, together with the lyverents of all their livings and lands whatsoever, to be uptaikin and imployed to our owne uses, and no wise dispouned to the persons that sould be convicted or fugitive for the caus aforesaid; as the said act of our parliament in the self proports.

"And becaus we and our estats, which conveenned at Halyrudhous upon the 27th day of Julie, the yeere of God 1588 yeeres, perceaved by good experience the inconvenient that followed through default of not putting the same act to due executioun, and that therethrough

the said Jesuits and Seminarie preests disdained our said acts, and continued in seducing and perswading of diverse of our nobilitie, and others our good subjects, to declyne from the said true and Christian religioun, and to practise the alteratioun and trouble of our estat; therefore, by another act and ordinance made by us, our said nobilitie, counsell, and estats, which conveenned the saids 27th day of Julie, certane persons speciallie expressed therin were nominated, elected, and constituted our commissioners and justicers in that part, within the bounds of our shirefdoms, stewartreis, bailliffereis, burrowes, and citeis under-mentiounned, lyke as to them, conjunctlie and severallie, within the bounds speciallie limited to them, were givin our full power and commissioun: All and sindrie Jesuits and Seminarie preests, as namelie, Mr James Gordoun, father brother to the Erle of Huntlie, Mr Edmund Hay, brother to the Goodman of Meginche, Mr William Crichtoun, Mr Alexander Mackquirrie, Gilbert Browne, sometyme Abbot of Newabbey, Mr Marke Ker, sonne to Robert Ker, elder, burgesse of our burgh of Edinburgh, and certane others of that professioun, incace they sould not depart furth of our realme, and enter themselves to the proveist of our said burgh of Edinburgh, to have beene loodged whill occasioun served to transport them, according to our proclamatioun published to that effect, and als, all and sindrie our rebells remaining at the horne for slaughter, and suche other odious crymes, and all sorners, brigants, and maisterfull vagabounds, to searche, seeke, take, and apprehend; and ather to bring and present them before our Justice and his deputs, in our burgh of Edinburgh, or then our said justicers and commissioners themselves to putt the saids Jesuits, Seminarie preests, and others above writtin, to the knowledge of an assise, for the saids wicked and unlawfull practises and attempts, and contemptuous disobeying and contraveening of our lawes and acts of parliament, and other odious crymes committed by them: And as they sould be found culpable or innocent, to minister justice upon them, conforme to the lawes and consuetude of our realme: court or courts to this effect to sett, beginne, affirme, hold, and continue; deputs under them, with clerks, serjants, damp-

sters, and all other officers and members of court needfull, to make, creat, substitute; and ordeane assise, one or moe, to that effect, eache persoun under the paine of fourtie punds, to summoun, warne, choose, and caus be sworne; unlawes, amerchiaments, and escheats of the said courts, to aske, lift, and raise: And for the same, if need beis, to poynd and distreinzie, compt, reckoning, and payment to us and our treasurer in our name, in our Checker to make; wherin the necessarie expences to be made in the executioun of our said commissioun is appointed to be defeased and allowed. And incace the said Jesuits and Seminarie preests, and others above specified, sall happen to flee to houses and strenths, to assiege and persue them therin, raise fire, and use all force and warlyke ingyne for recoverie therof. And if it sall happin anie of them, or anie assisting and concurring with them, to be hurt, slaine, or mutilated, or anie wracke, destructioun of hous or goods to be done, the same to be imputed for no cryme nor offence to our said justicers or commissioners, or persons assisting them in the executioun heerof; nor they nor none of them to be called or accused for the same, criminallie nor civillie, by anie maner of way in tyme comming; exonering them of all actioun and cryme that may be moved or intended against them, or anie of them, for the same; and discharging all our judges and ministers of our lawes, of all calling, outlawing, or anie wise proceeding against them therefore, and of their officers in that part for ever. Moreover, with power to the saids justicers and commissioners to enquire what feeds or variance standeth betuixt anie parteis, inhabitant within the shires and bounds appointed to them; and who were the most able and indifferent freinds for compouning and away-taiking therof; and to require and command them to travell for that effect, and the persons standing at variance to submitt themselves to the moderatioun and arbitrement of the saids indifferent freinds, according to the effect and meaning of the generall band subscribed by us and diverse of our estats: Or incace of refuse or delay, to certifie the same to us and our counsell with all convenient diligence, that suche farther order might be taikin therin as apperteaned. And to move certane of the most

zealous and worthie persons in everie parish, to take upon them our commissioun for executioun of our act of parliament made for punishment of strong and idle beggers, and releefe of the poore and impotent; as also, ordeanned and commanded our said commissioners and justicers to proclame and cause make wappinshowings of all fensible persons in the bounds particularlie limited to them; and to charge them to conveene in armes at all occasiouns needfull for defence of the countrie, and resisting of all outward and domestick invasioun tending to the danger of the professors of God's true religioun, or troubling of the common quietnesse of our realme. And further, to charge and require all our good subjects to concurre and assist them in the executioun of the premisses, under the paines conteanned in the acts of our parliament; and further, under the paine to be reputed, holdin, esteemed, and persued as hinderers of our service, art and part-takers with the foresaids rebellious and disobedient persons in their ungodlie and wicked deeds; and that our said commissioners and justicers doe their exact diligence for executioun of the premisses, as they, and everie one of them, will answere to us upon their obedience, at their utmost charge and perrell; and farther, under the paine of a thowsand punds, to be payed by everie one of them that sall be found remisse or negligent heerin; as the said act of our Secreit Counsell, of the date foresaid, at more lenth proports. Which, with the said act of our parliament, and others acts, ordinances, and commissiouns, past and givin for executing of the same acts against the said Jesuits, Seminarie preests, and excommunicated persons, the said Lords of our Secreit Counsell in our name ratifie, approve, and ordeane the same to be putt to further executioun in all points, conform to the tenour therof in all points, with suche expeditioun as convenientlie may be.

"And becaus there are certan of the noblemen, barons, and others, expressed commissioners in the said act of our Secreit Counsell, made upon the said 27th day of Julie, 1587 yeeres, that since the making therof are departed this life, others diseased in bodie, and some absent furth of our realme, and in other parts farre distant

from the bounds within the which commissioun was givin to them by reasoun of their residence therin for the time, so that at this present they may not convenientlie use and execute our said commissioun with suche expeditioun as is requisite: Therefore, the saids Lords of our Secreit Counsell, at the humble and earnest desire of the Generall Assemblie of the kirk presentlie conveenned, have thought good, concluded, and ordeanned that our said commissioun and acts foresaid sall be putt in due and full executioun, by the persons respective after following, givin in by them in roll, within the liberteis, shirefdoms, stewartreis, and bailliffereis, particularlie undermentiouned.

"They are to say, the proveists and bailliffes of everie citie and burgh; justicers and commissioners within the self, and liberteis of the same.

"And for the countrie to landwart, Robert Erle of Orkney, within the bounds of our shirefdome of Orkney.

"George Erle of Cathnesse, Coline Mackeinzie of Kintaill, Thomas Fraser of Knockie, Andrew Monro of Dowachartie, Angus Williamsone Mackintosh in Termet, and Johne Urquhart, Tutor of Cromartie, within the bounds of our shirefdome of Innernesse and Cromartie.

"Johne Campbell of Caddell, our shireff of Narne, Hucheon Rosse of Kilrawack, and Johne Hay of Lochloy, within the bounds of our shirefdome of Narne.

"James Erle of Murrey, Patrik Dumbar, shireff, wardatare of Elgine and Forresse, Robert Inneis of that Ilk, Johne Grant of Frewchie, James Dumbar of Tarbert, and David Dumbar of Grangehill, within the bounds of our shirefdoms of Elgine and Forresse.

"William Erle of Morton, shireff, wardatare of Bamf, Alexander Lord Saltoun, and Walter Ogilvie of Finlatour, within the bounds of our shirefdom of Bamf.

"Johne Maister of Forbesse, William Forbesse of Corse, Alexander Irwing of Drum, James Crichtoun of Fendraucht, Alexander Setoun of Meldrum, Johne Gordoun of Pitlurg, William Keith of

Ludquharne, and William Turing of Foverne, within the bounds of our shirefdome of Aberdeene.

"William Erle of Angus, George Erle Marshall, Robert Lord Altrie, Andrew Lord Dingwell, Alexander Stratoun of Laureston, Johne Strathauchane of Thorntoun, Johne Wishart of Pittarrow, and Johne Ramsay of Balmaine, within the bounds of our shirefdome of Kincardin.

"Johne Lord Hammiltoun, Thomas Maister of Glames, Patrik Maister of Gray, David Lindsey of Edzell, James Scrimgeour of Duddop, Constable of Dundie, and George Halyburton of Pitcur, within the bounds of our shirefdome of Forfar.

"Johne Erle of Atholl, Duncane Campbell of Glenurquhart, Thomas Stewart of Garntullie, Alexander Blair of Bathyock, William Moncreif of that Ilk, Patrik Ogilvie of Inchemartine, within the bounds of our shirefdoms of Perth, Stormont, and Dunkelden.

"Johne Murrey of Tullibardin, Johne Stirline of Keir, and Mr Johne Haddin of Glennegeis, within the bounds of our stewartreis of Stratherne, Menteith, and diocie of Dumblane.

"William Erle of Morton, Alexander Commendatar of Culrosse, William Menteith of Kerse, and Robert Bruce of Clackmannan, within the bounds of our shirefdoms of Clackmannan and Kinrosse.

"Andrew Erle of Rothesse, our Shireff of Fife, James Lord Lindsey of the Byres, Mr William Lundie of that Ilk, Andrew Wood of Largo, and David Carnegie of Colluthie, within the bounds of our shirefdome of Fife.

"Johne Erle of Marr, William Lord Livingstoun, Alexander Forrester of Gairdin, and Johne Livingstoun, younger of Donypace, within the bounds of our shirefdome of Stirline.

"George Dundas of that Ilk, Nicoll Cornwall of Ballinhard, and David Dundas of Preestsinche, within the bounds of our shirefdome of Linlithquo.

"Archibald Naper of Merchinstoun, Alexander Fairlie of Braid, and Patrik Monypennie of Pilrig, within the bounds of our shirefdome of Edinburgh.

"William Erle of Angus, Francis Erle Bothwell, James Lord Hay of Yester, Sir Johne Matlane of Thirlestane, knight, our Chanceller, and Alexander Hume of Northberwick, within the bounds of the constabularie of Hadintoun and Dumbar.

"Sir James Hume of Coldingknowes, knight, George Hume of Wedderburne, Johne Hume of Huttonhall, Patrik Hume, appearand of Aittoun, Patrik Cockburne, Tutor of Langtoun, James Setoun of Tullibody, and Mr Thomas Cranstoun of Morestoun, within the bounds of our shirefdom of Berwick or Merse.

"Robert Ker of Cesfurde, Walter Scot of Branxholme, George Dowglas of Bunjedburgh, Johne Cranstoun of that Ilk, and Andrew Ker of Fadownside, within the bounds of our shirefdom of Roxburgh or Tiviotdaill.

"William Lord Hay of Yester, Johne Stewart of Traquair, William Twedie of Drummalyer, and Patrik Murrey of Fawlahill, within the bounds of our shirefdoms of Selkirk and Peebles.

"Johne Lord Hammiltoun, William Erle of Angus, James Lord Somervell, James Maxwell of Calderwod, Johne Stewart of Minto, and James Hammiltoun of Libberton, within the bounds of our shirefdome of Lanerk or Cliddisdaill.

"Ludovick Duke of Lennox, James Erle of Glencarne, Robert Lord Sempill, George Buchanan of that Ilk, Johne Schaw of Greenock, William Edmistoun of Duntreth, and Humfrey Cahown of Luce, within the bounds of the Lennox and our shirefdome of Renfrew.

"Robert Maister of Eglintoun, Thomas Lord Boyd, Johne Blair of that Ilk, and Thomas Crawfurd of Jordanhill, within the bounds of our bailliffrie of Cuninghame.

"Hugh Campbell of Teorinzean, Johne Wallace of Craigie, Andrew Lord Uchiltrie, and William Crawfurd of Lochnoreis, within the bounds of our bailliffrie of Kyle.

"Johne Kennedie of Blairquhan, Thomas Kennedie of Barganie, and Johne Cathcart of Carleton, within the bounds of our bailliffrie of Carict.

"Alexander Stewart of Gairleis, Uthrid Mackdowgall of Garthland, and Sir Patrik Vaus of Barnbarroch, within the bounds of our shirefdome of Wigtoun.

"Johne Gordoun of Lochinvar, Thomas Mackclellan of Bombie, and James Lidderdaill of Sanctmarie Yle, within the bounds of our stewartrie of Kirkcudbright.

"Johne Lord Hammiltoun, James Dowglas of Torthorald, and Roger Greresone of Lag, within the bounds of our shirefdome of Dumfreis.

"Robert Lord Sanquhare, James Dowglas of Dumlanrig, and Roger Kirkpatrick of Closburne, within the Sanquhar or over-part of Nithisdaill.

"James Johnstoun of Dunskellie, Charles Murrey of Cockepoole, and Robert Johnstoun, Laird of Newbie, within our stewartrie of Annanderdaill.

"Archibald Erle of Argile and his curators, within the bounds of our shirefdom of Argile.

"Angus Mackoneill of Dunniveg and Glennis, Lauchlane Mackclain of Dowart, David Mackoneill Gorme of Slait, and Donald Mackcloid of Harris, within the bounds of the Iles.

"Attour the saids Lords of our Secreit Counsell hearing sindrie brutes and rumors, als weill of forranc as intestine platts and preparatiouns, for the trouble of the true and Christian religioun presentlie professed within our realme, and perelling of our estat and standing depending therupon, both having the self-same freinds and commoun enemeis, and subject to the like event of standing and decay, have thought meete, for preventing of the danger threatned heereby als weill to the one as to the other; that first of all, the godlie and weill affected persons, our good subjects, sall be knowne and discerned from them that are of contrare dispositioun. And to this effect, the saids Lords have givin and granted, and by thir presents give and grant, full power and commissioun, expresse bidding and charge to the persons underwrittin, everie one of them, within the bounds particularlie limited to them, as followeth:

"They are to say, Thomas Swintoun, Henrie Colvill, Johne Dunnone, within the bounds of our shirefdome of Orkney.

"Mr William Paip, Mr Robert Inneis, William Gray, younger, Mr Johne Robertsone, Mr George Monro, Mr Robert Williamsone, and Mr Thomas Howesone, within the bounds of our shirefdoms of Innernesse and Cromartie.

"Mr Robert Rait, within the bounds of our shirefdom of Nairne.

"Mr Johne Keith, minister at Duffus, Mr Alexander Dowglas, minister at Elgine, and Johne Forester, minister at Forresse, within the bounds of our shirefdoms of Elgine and Forresse.

"Mr William Strathauchane, Mr James Duffe, and Mr George Nicolsone, within the bounds of our shirefdome of Bamf.

"Mr Peter Blekburne, Johne Strauchan, James Reid, and Abraham Sibbald, within the bounds of our shirefdom of Aberdeen.

"Mr Andrew Mylne, Mr William Lisk, and Mr Alexander Arbuthnet, within the bounds of our shirefdome of Kincardin.

"Mr James Melvill, Mr Paul Fraser, William Christesone, Mr James Nicolsone, Mr Henrie Guthrie, Mr Henrie Duncan, Johne Foullarton, and Mr Thomas Ramsay, within the bounds of our shirefdom of Forfar.

"Mr William Glasse, Mr William Rind, Alexander Young, Mr Archibald Muncreif, Mr William Row, within the bounds of our shirefdoms of Perth, Stormont, and Dunkelden.

"Mr Andrew Young, Mr William Stirline, and Alexander Fergy, within the bounds of our stewartreis of Stratherne, Menteith, and diocie of Dumblane.

"Johne Dykes, Robert Rait, Mr Alexander Wallace, within the bounds of our shirefdoms of Clackmannan and Kinrosse.

"Mr Thomas Buchanan, Mr Andrew Muncreif, Mr James Melvill, and Mr Adam Mitchell, within the bounds of our shirefdom of Fife.

"Johne Duncansone, Mr Alexander Livingstoun, and Andrew Forester, within the bounds of our shirefdom of Stirline.

"Patrik Kinloquhie, Mr James Law, and Mr Robert Cornwell, within the bounds of our shirefdom of Linlithquo.

"Mr Robert Bruce, Mr Patrik Simsone, and Mr Michaell Cranstoun, within the bounds of our shirefdom of Edinburgh.

"Mr Adam Johnstoun, Johne Hereis, and James Gibsone, within Dalkeith.

"William Sandersone, Mr Cuthbert Bonckle, Mr Thomas Makgie, and Mr James Carmichaell, within our constabularie of Hadintoun and Dumbar.

"David Hume, Johne Clapperton, and Robert Frenche, within our shirefdome of Berwicke or Merce.

"Mr Andrew Clayhills, Mr William Auchinmowtie, George Johnstoun, William Balfour, and Mr Johne Knox, within our shirefdome of Roxburgh or Tiviotdaill.

"Mr Archibald Dowglas, minister at Peebles, Mr Johne Welshe, minister at Selkirk, and William Sandersone, minister at Innerletham, within the bounds of the Forrest and Tweddaill.

"Mr Johne Davidsone, Mr Robert Lindsay, and Mr Andrew Hay, within the bounds of Cliddisdaill or Lanerk.

"Mr Thomas Jack, Mr Andrew Knox, Mr Thomas Walkinschaw, within the bounds of the Lennox, and our shirefdom of Renfrew.

"Mr Alexander Scrimgeour, Mr Alexander Wratoun, and Mr Robert Wilkie, within our bailliferie of Cunninghame.

"Johne Porterfeild, Mr Johne Inglis, Mr Peter Primrose, within our bailifferie of Kyle.

"Johne Mackcorne, and William Young, within our bailliferie of Carict.

"Mr Ninian Macklenoquhan, and Johne Young, within our shirefdom of Wigtoun.

"Mr James Hammiltoun, and Mr David Blyth, within our stewartrie of Kirkcudbright.

"Mr Hugh Foullarton, and William Thomsone, within our shirefdome of Dumfreis.

"Mr James Brysone, and Johne Foullertoun, within the Sanquhare, or over-part of Nithsdaill.

"Alexander Gordoun, within Annanderdaill.

"Mr Neill Campbell, within our shirefdome of Argile.

"All and sindrie erles, lords, barons, free holders, gentlemen, inhabitants of our burrowes, and other our lieges whatsomever, of what ranke and degree that ever they be of, to call and conveene before the said ministers, by their missive letters or messingers, at what soever place or dayes they sall thinke expedient; and there require them to give the confessioun of their faith, together with their subscriptiouns thereto, and to the generall band made and subscribed alreadie by us, and certan of our estats, tuiching the maintenance and defence of the said true religioun, our person and estate, and notwithstanding of all forrane preparatiouns and forces tending to the trouble therof. And in cace anie persons so required disobey, that the ministers of God's Word proceed to admonitiouns; and finding them obstinat, caus the censures of the kirk be used against them, as enemeis to God, us, and to the commoun weale of this their native countrie; and that the saids ministers crave the concurrence of the noblemen, barons, and gentlemen, within the bounds particularlie above writtin, for the better executioun of the premisses.

"Our will is heerefore, and we charge you straitlie and command, that, incontinent thir our letters seene, yee passe, and in our name and authoritie make publicatioun heerof, by opin proclamatioun at the mercat croces of the head burrowes of our realme, and others places needfull, wherethrough none pretend ignorance of the same: As also, that yee command and charge the noble men, barons, ministers, and others foresaid, to accept upon them our commissioun givin to everie one of them in maner particularlie above-mentioned, and to report their diligence tuiching the executioun therof to the Clerk of our Secreit Counsell, betuixt and the 20th day of May nixtocum, under the paine of rebellioun, and putting of them to our horne: With certificatioun to them, if they failyie, they sall be denounced rebells, and putt to our horne, and all their movable goods escheate, and imbrought to our use, for their contemptioun. And siclyke, that yee command and charge all and sindrie our lieges to readilie answere, intend, obey, concurre, fortifie, and assist our said commissioners in the executioun

of the premisses; and to doe nor attempt nothing to their hinderance, as they, and ilk one of them, will answere unto us, upon their obedience and allegiance, and under all highest paine, cryme, and offence, that they may committ and incurre against us in that behalfe; as yee will answere to us therupon. The which to doe, we committ to you, conjunctlie and severallie, our full power, by thir our letters, delivering them by you duelie executed and indorsed again to the bearer. Givin under our signet, at Edinburgh, the sixt of Marche, and of our raigne the 23d yeere, 1589.

"*Per actum Secreti Consilii,*

"J. ANDRO."

THE COPIE OF THE BAND TUICHING THE MAINTENANCE OF THE TRUE RELIGIOUN, THE KING'S MAJESTIE'S PERSON AND ESTAT, SEVERALLIE TO BE SUBSCRIBED BY ALL NOBLE MEN, BARONS, GENTLE MEN, AND OTHERS, ACCORDING TO THE TENOR OF THE ACT OF SECREIT COUNSELL, AND COMMISSIONS THERIN CONTEANED.

"Wee, undersubscribing, considering the strait linke and conjunctioun betuixt the true and Christian religioun presentlie professed within this our realme, and soverane lord's estat and standing; having both the self-same freinds and commoun enemeis, and subject to the like event of standing and decay; and weyghing therewith all the imminent dangers threatned to the said religioun, als weill by forrane preparatiouns for prosecutioun of that detestable conspiracie against Christ and his Evangell, called THE HOLIE LEAGUE, as by outward and intestine practises of the favourers and supposts therof amongst ourselves, who now, enanimated by the report of forrane powers repairing to this realme, beginne more plainlie to utter and professe their long conceaved evill meaning to the truthe, and, consequentlie, to the standing of his Majestie, our soverane lord, whom they have found and tryed to be a constant and inflexible professour of the same; the prescrvatioun wherof being dearer to us nor whatsoever we have dearest in this life, and

finding in his Majestie a most honorable and Christian resolutioun, to manifest himself unto the world that zealous and religious prince which he hath hitherto professed, and to imploy the meanes and power that God hath putt into his hands, als weill to the withstanding of whatsomever forraine forces sall meane within this Yland, for alteratioun of the said religioun and endangering of the present estate, as to the repressing of the inward enemeis thereto among our selves, linked with them in the said antichristian league and confederacie; have, therefore, in the presence of Almightie God, and with his Majestie's authorizing and allowance, faithfullie promised and solemnelie sworne, like as, heereby we faithfullie and solemnelie sweare and promise, to take a true, effald, and plaine part with his Majestie amongst our selves, for diverting of the present danger threatned to the said religioun, and his Majestie's estat and standing depending therupon, by whatsoever forces or intestine plotts or preparatiouns: And to that effect, faithfullie, and that upon our truthes and honours, bind and oblige us to others, to conveene and assemble our selves publictlie, with our freinds in armes, or in quiet maner, at suche tymes and places as we sall be required by his Majestie's proclamatiouns, or by writt or messinger directed to us from his Majestie, or anie having power from him; and being conveened and assembled, to joyne with the whole forces of our freinds and favourers, against whatsoever forrane or intestine powers, or Papists and their partakers, sall arive or arise within this Yland, or anie part therof; readie to defend or persue, as we sall be authorized and conducted by his Majestie, or anie other having his power and commissioun; to joyne and hold hand to the executioun of whatsoever meane or order sall be thought meete by his Majestie and his counsell, for the suppressing of Papists, promotioun of the true religioun, and settling of his Hienesse' estat and obedience, in all the countreis and corners of this realme: to expone and hazard our lives, lands, and goods, and whatsoever meane God hath lent us, in the defence of the said true and Christian religioun, and his Majestie's person and estat, against whatsomever Jesuits, and Seminarie or Masse preests, con-

demned enemeis to God and his Majestie, to their utter wracke and exterminioun, according to the power granted unto us by his Hienesse' proclamatiouns and acts of parliament: to try, searche, and seeke out all excommunicats, practisers, and other Papists whatsomever within our bounds and shyres, where we keepe residence; delate them to his Hienesse and his Privie Counsell, and conforme us to suche directiouns as, from tyme to tyme, we sall receave from his Majestie and his Counsell in their behalfes; and, speciallie, so manie of us as presentlie are, or heerafter sall be, appointed commissioners in everie shire, sall follow, persue, and travell, by all meanes possible, to take and apprehend all suche Papists, apostats, and excommunicats, as we sall receave in writt from his Majestie; and we, the remanent within that shire, sall concurre and assist with the said commissioners, with our whole freinds and forces to that effect, without respect of anie persoun whatsoever: And, generallie, to assist in the meane tyme, and defend, everie one of us one another, in all and whatsoever querrells, actiouns, debaits, moved or to be moved against us, or anie of us, upon actioun of the present band, or others causes depending therupon; and effauldlie joyne in defence and persute against whatsoever sall offer or intend anie injurie or revenge against anie one of them, for the premisses, making his caus and part that is persued all our parts, notwithstanding whatsoever privie grudge or displeasures standing betuixt anie of us; which sall be no impediment or hinder to our said effauld joyning in the said commoun caus, but to ly over, and be misknowne, till they be orderlie removed and tane away by the order underspecified.

"To the which tyme we, for the better furtherance of the said caus and service, have assured, and by the tenour heerof, everie one of us taiking the burthein on us for ourselves, and all that we may lett, assure eache other to be unhurt, unharmed, or in anie wise to be invaded by us, or anie of our foresaids, for old feed or new, otherwise nor by the ordinarie course of law and justice; nather sall we, nor anie of our foresaids, make anie provocatioun of tumult, trouble, or displeasure to others in anie sort, as we sall answere to

God, and upon our honours and fidelitie to his Majestie. And for our farther and more heartilie unioun in this service, we are content, and consent that all and whatsoever our feeds and variances fallin, or that may fall out betuixt us, be within foure dayes after the date heerof amicable referred and submitted to seven or five indifferent freinds chosin by his Majestie, of our whole number, and by their moderatioun and arbitrament, compouned and tane away. And, finallie, that we sall, nather directlie nor indirectlie, seperat or withdraw us from the unioun and fellowship of the remnant, by whatsoever suggestioun or privat advice, or by whatsoever incident, regard, or stay, suche resolutioun, as by commoun deliberatioun sall be tane in the premisses, as we sall answere to God upon our consciences, and to the world upon our truthe and honours, and under the paine to be esteemed tratours to God and to his Majestie, and to have lost all honour, credit, and estimatioun, in tyme comming. In witnesse wherof, his Majestie, in token of his approbatioun and protectioun promised to us in the premisses, and we by his authorizing and allowance foresaid, have subscribed thir presents with our hands."

ERROLL'S LETTER TO MR R. BRUCE.

After Huntlie's departure, sindrie brutes arose of the conveenning of his factioun. In the meane tyme, the Erle of Erroll writeth to Mr Robert Bruce, minister at Edinburgh, (whose ministrie at that tyme was most confortable to the godlie, and fearefull to the enemeis.) The tenour of the letter heere followeth: —

"My verie good freind: After all heartilie commendatiouns. I doubt not but yee have heard how unhonestlie the Chanceller, Sir Johne Matlane, hath caused me to be accused behind my backe, as him who had meaned, by his travells with strangers, to trouble the estate, and consented to the alteratioun of the religioun. Of the which two points, as nothing could be layed to my charge wherof I was more innocent, so have I oft sensyne required at his Majestie's hands, in speeking my self, imploying the credit of other

noblemen, and writtin at the last to his Hienesse, that in a mater of suche consequence I might be tryed before his Majestie, and the nobilitie who are my peers, and borne to be counsellers and competent judges to me; and that to their conventioun some reasonable day might be appointed, where I wish to find no favour nor grace but as my innocencie meriteth. For otherwise, if I sall be tryed, cleane as I am, where my professed enemie, now but contradictioun doeth all, the least I looke for, and am assured of is, wairding during his pleasure; which I would be laith to interteane in that sort, seing it hath pleased him but caus, upon his owne imaginatiouns, so falselie to detract me. But seing a part of this actioun tuicheth your vocatioun, and that wherin I ought to be comptable to the kirk, (which that man so farre as in him lyeth would abuse, in cloaking his particulars with their caus, and so adjoyning them to be partie with him against all his enemeis,) I have thought necessar, being likelie through his credit not to find suche courtesie as my honestie deserveth, to rander you thankes for your owne assured freindship, who, by report I heare, hath refused so lightlie to give credit to his malicious imposts; as also, to desire, (seing some are more easilie enduced to thinke and say otherwise than men justlie procure,) that where opportunitie is offered, yee will remember your brethrein how laith they sould be to follow the seditious designes of a man being altogether irreligious, careth no estat but as it may availl his owne standing. And if evident arguments and constant zeale at all tymes sall find place before false forged inventiouns, I cannot looke but so farre as in you and all them lyeth, to be reckonned that man whom I have professed myself since my infancie, in faith, life, and conversatioun, both publictlie and privatlie, and wherof, in all your presences, in an expected danger to the kirk, I gave evident testimonie. Wherefore, as I have beene an assured member to the kirk, and never in anie sort have ministred anie evil caus, but have contended in that heed to be inferiour to none, so I will lippin that my enemie sall not (where I have so weill merited) find advantage of me, seing I am, and sall be alwise readie to be tryed by the kirk's self, if ever I have pretermitted my duetie

in anie sort to them, or if I have travelled anie wise against the religioun, as my unfreind hath charged me, to whom I will be laith to render compt of my doings. Wheranent, remitting farther to your good affectioun, looking some answere, committs you to the eternall protectioun of the Almightie.

"At Logyalmond, the 22 of Marche, 1589.

"By your good freind at power,

"ERROLL."

THE BRIDGE OF DEE.

The king passing his tyme at Haltoun, the Erle of Montrose came to Mr Johne Grahame at Halyairds. Bothwell sould also have come, and, as was reported, they sould have taikin the king. The Maister of Glames advertised the chanceller, that Huntlie and his complices were assembled at Brechin, and minded to come to Edinburgh with their whole forces. The chanceller advertised the king. So the king came in to Edinburgh, in all haste, upon the fyft of Aprile, about two houres in the morning, and lay doun to sleepe in the chanceller's loodging. At the same tyme, the Erle Bothwell came to Dalkeith upon the sixt of Aprile, accompanied with a number of border men, where he stayed two nights. All maner of men on this side of Forth were charged to repaire to the king, in feare of warre, with all diligence. Bothwell offered himself in his Majestie's will, for anie offence could be layed to his charge, and to come to anie place for that effect, except where Chanceller Matlane was; and offered to accuse the chanceller of three points of treasoun. But the king refused to give him audience. Huntlie, Erroll, and Crawfurd, were gathering their forces in the meane time in the north. They beseiged the Maister of Glames in his owne hous, who randered to them upon conditiouns. Upon the nynth of Aprile, the king went to Linlithquo, accompanied with 140 hors or thereby. The king urged the toun of Edinburgh to come to him in armes to Linlithquo, upon Thursday, the tenth of Aprile. Upon the elleventh they returned, waged two hundreth souldiours, and

sent them after the king. Huntlie, Erroll, Crawfurd, Bothwell, Montrose, and their forces, were conveened at Perth. The king's forces increasse. He goeth by Stirline to Perth. The lords being departed out of Perth, he went with two thowsand men, or thereby, to Dundie, and from thence to Brechin; the nixt day to Cowie. His number decreassed. He resolved betweene Brechin and Cowie to ly that night in the campe, but he rested in Charles Mowat's hous.

When the king came to Cowie, the Erles Huntlie, Crawfurd, and Erroll, came from Aberdeene to the Bridge of Dee, accompanied with three thowsand men, and resolved to fight. The king was skarse accompanied with a thowsand, yitt feare seazed upon the most part of Huntlie's factioun when they heard the king was in persoun in the feilds. Huntlie had made manie to beleeve that he had a commissioun for gathering his forces. Erroll would have foughten, Huntlie feared. Manie of the barons of the north left them. Some came in to the king betweene Cowie and Aberdeene. The king came to Aberdeene upon the 20th of Aprile, where he stayed three or foure dayes. The secund day, the Maister of Glames was sent to him from Auchindoun, where he had been keeped prisoner, and others, to the number of five or six persons. Becaus Huntlie cometh not in, the king purposed to goe fordward to his lands, to demolishe his castells and houses, and speciallie Strabogie. But when he came to the Terrysoule, Huntlie came in to the king, and was committed to Carmichaell, and Captan William Hume, without getting presence of the king. When the king returned to Aberdeen, Mackintosh, Grant, and other barons of the countrie, were moved by his Majestie and counsell to subscribe a band of obedience in tyme comming. The king returneth to Edinburgh in the beginning of May. Huntlie is wairded in Robert Gourlaye's hous. The Erle of Crawfurd came in the 20th of May to Edinburgh, and was wairded in his owne loodging. He alledged that Huntlie pretended a commissioun for gathering his forces, and that when he understood the contrare he left him.

BOTHWELL COMMITTED TO THE CAPTAN OF THE GUARDE.

Whill the king was in the North, Bothwell was passing to and fro in the Cannogate, Edinburgh, Leith, Dalkeith, and his border men at Dalkeith, for the most part, living most dissolutelie. When the king returned from the North to Edinburgh, Bothwell was brought in upon the elleventh of May by moyen of some that travelled with the king into a garden where the king was walking, where he gott presence. The king suffered him to sitt a long tyme upon his knees without anie answere, and at last committed him to William Hume, Captan of the Guarde, to keep him as he would be answerable.

YOUNG NIDRIE ESCAPETH OUT OF THE PANNELL, THE ASSISE SITTING.

Upon the 12th of May, Archibald Wauchop, young Laird of Nidrie, lying in Robert Peacoake's hous at the Bridge-end, in waite for the Laird of Edmistoun, was besett by Edmistoun, who was advertised, and gathered his freinds. Some cryed for fire; others better advised, to advertise the king. The drumme was beatin betweene sevin and eight at night in Edinburgh. The inhabitants, and other gentlemen and noblemen, were charged to come incontinent to the king's loodging. The king cometh to the Burrow Mure, and directed an herald to charge Nidrie to come out of the hous to him under paine of treasoun. He cometh furth with his companie, is brought to Edinburgh, and wairded in the Tolbuith. The day following, he was brought furth to thole an assise, for the slaughter of the Laird of Shirefhall, and his brother, Johne Giffard. The Lord Hume, the Laird of Edmistoun, the Laird of Broxmouth, and Thomas Giffard of Shirefhall, were persuers. The mater was continued till the nixt day. Then he and his complices were brought furth againe out of the prisoun hous to thole an assise, but some of his freinds were upon the assise. The dittay being read, and

the assise enclosed, tyme was protracted, that noblemen might have leasure to travell for pardoun. No pardoun being granted, at least professed, the Judge sitting in judgement, and about a thowsand persouns in the Tolbuith waiting upon the event, the candles were putt furth about ellevin houres at night, and Nidrie and his complices escaped out at the windowes of the Tolbuith. Sir James Sandilands, Tutor of Calder, the cheefe man that assisted him to break waird, was soone after familiar againe with the king, in his owne chamber. But God in his justice, notwithstanding, persued Nidrie, till he came to an unhappie end. This enormitie was so vile and odious, that the ministers could not keepe silence.

HUNTLIE, CRAWFURD, AND BOTHWELL, CONVICTED OF TREASOUN.

Huntlie and Crawfurd were called in before the king and states conveened about the 20th of May. Huntlie was desired to give his depositioun quietlie to the king and foure or five of the counsell, in the gairdin that is in the backe of the Counsell-hous, which he did: Crawfurd was examined publictlie before the counsell. Some were directed to examine Bothwell. He denyed anie kind of attempt against the king or religioun professed, and alledged his gathering of men was onlie for particular querrells betuixt him and Chanceller Matlane. The king, with advice of the estates, in respect of their denyall, thoughte meete they sould be putt to the tryell of an assise. So, upon the 24th of May, they were convoyed out of their wairds to the Tolbuith of Edinburgh, and there accused of sindrie points of treasoun. Huntlie came in the king's will, for all things layed to his charge; the other two were putt to the knowledge of an assise. Bothwell was convicted for conveening with certan other noblemen at the Querrell Holes, betuixt Leith and Edinburgh; for devising and conspyring interprises tending to the alteratioun of the present state of king and countrie; for leveing of souldiours without warrant, and molesting the countrie. Crawfurd was convicted for the same conventioun at the Querrell Holes, for surprizing the toun of Perth; in gathering his forces for raising

fire, and sieging the Maister of Glames in the hous of Kirkhill; for comming against his Majestie with displeyed banner, betuixt Aberdeen and Cowie. The assise satt till two houres in the morning. The king and Chanceller Matlane stayed in the inner Counsell-hous. After convictioun, the king ordeanned them to be caried to their wairds where they were before, but were afterwards transported to surer wairds. So, upon the fyft of June, the Erle Bothwell was ordeanned to be wairded in Tamtallon, to be keeped there by Captan William Hume; Huntlie the day following to be wairded in Borthwick Castell; Crawfurd, in the Castell of St Andrewes. In the meane tyme, there arived at Leith one of the Queene of England's great shippes, upon the last of May, sent thither to attend upon the king's service, if he had anie need of it. But he meant no great harme to the convicted, for they were soone after sett at libertie.

Upon Saturday, the last of May, the Maister of Gray came out of England, and the Lord Hounsdane with him. So it was seene that his banishment was but onlie for the fashioun.

THE * * GENERALL ASSEMBLIE.

The Generall Assemblie conveenned upon Tuisday the 17th of June, Mr Udall, an English preacher, who died in prisoun after persecuted by the English bishops, preached in presence of the king in the Great Kirk, upon the wedding of the king's sonne, Luke xiv., upon Friday the 20th. The king had a speeche to the Assemblie, and promised to hold hand to discipline. All the commissioners of countreis were changed, except the Laird of Dun. The king would needs have Mr Patrik Galloway to be his minister.

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JUSTICE COURTS IN THE NORTH.

About the end of June, the king rydeth to the North, to hold justice courts, and to fyne suche as had beene at the Bridge of Dee,

who as yitt had not beene taikin order with. He came to Aberdeen the secund of Julie, and deputed certane lords, compositors, and judges, to sitt doun and hold justice courts in the Tolbuith of that burgh. After he had stayed some dayes in Aberdeen, he went to the Channonrie of Rosse; from thence to Innernesse, from thence to Cromartie to hunt, and returned to Aberdeen the 21st of Julie, where he stayed five dayes. When he was upon the point of returning, the Erle of Erroll, the Laird of Auchindoun, Balquhan, and Clunie, with others of the surname of Hay and Gordoun, came in to the king, and were receaved in favour upon compositioun.

THE MARIAGE OF THE KING AND QUEEN ANNE PERFYTED.

Upon the 18th of June, after consultation at sindrie conventiouns upon the king's mariage, the Erle Marshall, with the Lord Dingwall, the Constable of Dundie, and sindrie knights and gentlemen, embarked at Leith to saile to Denmarke, to accomplishe the mariage. Colonell Stewart, Pryour of Pittenweeme, embarked at Aberdeen soone after, and followed with an ample commissioun after the Erle Marshall, ambassader. They were honourablie receaved in Denmark, and the mariage with Anna, daughter to Frederick the Secund, King of Denmarke, was perfytted the 20th day of August.

THE ERLES SETT AT LIBERTIE.

Upon the 12th of September, Johne Lord Maxwell was released out of waird, out of the Castell of Edinburgh, to attend upon the ariving of the queene. Upon the same pretence, the rest of the erles were sett at libertie about the same tyme.

THE QUEEN'S FLEET DRIVIN UPON THE COASTS OF NORWEY.

Upon the 12th of September, Lord Andrew Keith, Lord Dingwell, and Colonell Stewart, arived at Leith, sent before to adver-

tise the queene was comming. But it fell furth, that, by force of tempest, her fleete was drivin upon the coasts of Norwey. Her owne shippe was three dayes and three nights in missing, and first found by the ambassader's shippe.

A MOTION MADE IN THE SYNOD OF LOTHIANE.

The Synod of Lothiane conveenned about the midds of September. It was thought good by manie of the ministrie, that the king sould be desired to urge the act of counsell to be executed, tuiching the publict repentance of the rebell erles before the kirk of Edinburgh. But in respect of the lenitie that was used, it was thought but an ydle thing, and that it would turne but to plaine mockerie.

THE MANER HOW TO RECEAVE THE QUEENE.

Upon the 16th of September was sett doun the forme following, for receaving the queene at her landing, and her interteanement immediatlie after:—

"*At Leith, the 16th of September.*

"How soone the queene sall arive, God willing, in Leith Raid, the Erle Bothwell, admirall, accompanied with the Lords Seytoun, Dingwell, and Mr Peter Young of Seytoun, eleemosyner, sall passe on boord, and salute and welcome her Grace, the said Mr Peter making the harangue in Latine, als breefelie as may be.

"They sall conferre and take purpose anent her Grace's comming on land, as she sall be found disposed, and in Leith, and advertise with speed.

"My Lords Marshall and Bothwell to come in the boat with the queene, if so please her Grace; as also, the ambassader of Denmarke.

"The other lords to offer to receave the ambassaders, or gentlemen of Denmarke.

"At her Grace's landing, she to be convoyed on the right hand by the Erle Marshall, and on the left hand by the Erle Bothwell, admirall, whill she be out of the flood mark, and at the head of the stone staire.

"On the north side of the stone staire, comming up from the shore, sall stand the Scotish noble weomen and ladeis, to the number of sixteene; the Countesse of Marr and Marshall, and my Ladie Setoun and Thirlestane, standing first in order, nixt them the ladeis of Dudop and Boyne; everie one of the first foure having two gentle weomen attending upon them, and everie one of the last two, one, making in the whole sixteene.

"On the south side of the same stone staire, that cometh up from the shore, sall stand the Scotish noble men and counsellers likewise, to the number of sixteene persons, to be speciallie nominated by his Majestie; as also, in what ranke and order they sall stand, his Majestie sall declare and give in writt to my Lord Marshall or his deput.

"From the head of the stone stair to the scaffold, and the whole scaffold to the hall doore, sall be layed with Turkie tapeis or tapestrie, and both the sides of the scaffold sall be likewise covered and hung.

"The king's Majestie alone, and onlie the Lord Fleming, his chamberlane and maister isher, passing before him in the midds betuixt the lords and ladeis, sall meete the queen and welcome her; and shortlie leaving her, to accept the reverence of the noble weomen foremost in ranke, his Majestie sall welcome the Danish ambassaders, and immediatlie taiking the queen again by the arme, sall turne toward the scaffold. But before them sall first marche the Scotish noble men, they that were last in ranke going foremost.

"And betuixt them and the king and queen sall goe the Danish ambassaders, whill they be past the midd scaffold, where sall be placed two shires[1] for the king and queene; and there a breefe

[1] Chairs.

harangue sall be made unto them, the Danish ambassaders and noble men of Scotland turning their faces toward the king; and how soone the harangue is ended, sall turne about, and passe up in order as before, whill they be within the hall; where suche of the Scotish noble men and counsellers as come up the staire first sall tarie on the south side of the hall, giving place to them which come up last, to approache neerest the chamber, which sall leave so muche roome as the Danish ambassaders may convenientlie stand in, betuixt them and the doore on that side.

"Then the king and queen comming up, and entering in the hall, sall passe directlie to the queen's chamber.

"Nixt after them sall follow the Danish ladeis of honour; and immediatlie after them, the noble weomen and ladeis of Scotland, which sall take their places in the north side of the hall, the Danish ladeis being nixt the chamber doore, and the noble weomen and ladeis of Scotland in their owne ranke and order.

"After the ladeis sall come the Danish gentlemen, and sall be convoyed to stand in the bodie of the hall, behind the noble men of Scotland, whill the king come furth of the queen's chamber; and then his Majestie first to welcome the Danish ladeis, and therafter the gentlemen of Denmark, and sua to depart furth of the hall toward his loodging, accompanied with all the noble men and councellers, except my Lord Marshall, and suche others as are appointed to attend and accompanie the Danish ambassaders.

"During the tyme of the queen's landing and remaining in Leith, my Lord Colonell to take the charge of commanding the ports and guarde beside her loodging, having under him Captan Arnot, one of the bailiffes of Leith, and 24 of the most able of the inhabitants of Leith, with halberts.

"After the queene be loodged, the scaffold to be immediatlie removed, leaving onlie the stair.

"That my Lord Colonell foresee and command, that there be no working in the shippes foreanent her loodging, during her remaining in Leith, nor nothing on the bounds within the two new ports that may unquiett her.

"That my Lord Marshall, and suche as were in commissioun with him, my Lord Colonell, the Laird of Halhill, and Mr William Melvill, sall attend upon the interteanement of the Danish ambassaders.

"The Danish ambassaders to be served in Leith with my Lord Marshall's silver worke.

"It is to be looked, that when the fleete sall arive in the Raid, they will shoot three schots, and then the Castell of Edinburgh to answere als manie.

"At the queen's comming off the shippes, they will shoote their whole volie: when they have done, the Castell of Edinburgh to answere with all the schotes being therin.

"That no shooting be in Leith whill the queene be in her chamber, and then all the peeces on the shore there to be discharged.

"That bonefires be bigged in Leith the same night of the queen's arivall.

"That the three Danish ambassaders be loodged in Johne Kinloch's hous.

"That the Vice-admirall of Denmark, and the speciall Danish gentlemen, be loodged in Robert Cunningham's hous, in the Cannogait.

"That the Justice-Clerk and my Lord of Dingwell see the conditiouns of their loodgings, what furnishings sall be had, and what sall be payed for everie night.

"That Sir James Chisholme advance to everie one of them twentie crownes, in part of payment of their hous mailes, to a good compt.

"That Sir James Chisholme await upon the furnishing and service of the Danish ambassaders in the Cannogate, suppleed by the other maister of houshold.

"The entrie of the queene in Edinburgh to be upon a Saturday, the king's Majestie in the mean tyme being absent whill her comming to Halyrudhous, and there to be present to receave her.

"That his Majestie appoint the number and speciall persons that sall attend upon himself.

"The mariage and coronatioun to be, God willing, upon the morne nixt therafter, being Sunday; and incace of foule weather, that both the kirks of Edinburgh and Halyrudhous be prepared with scaffolds."

This forme was somwhat altered, by reasoun of sindrie impediments that fell furth, and the king's owne voyage to Norway. The king was advertised, upon the secund of October, that the queen's fleete was forced to land in Norway; that the queen's shippe was two barrell high of water before they were aware, and a great laike strickin up in her shippe, and she transported to another vessell to land; wherupon the king tooke purpose to faire to Norway in persoun.

A COMMISSION GIVIN TO TRY BENEFICED PERSONS; DATED OCTOBER 15.

"Our soverane lord ordeans a letter to be made under the testimoniall of the great seale, in due forme, making mentioun that his Hienesse being effectuallie moved to promote and advance the glorie of God and his true religioun, and to eschew and cutt away all occasiouns tending to the hinderance and detriment therof; finding nothing more necessar for the weale of the kirk of God, than the observatioun of a decent and comelie order, in tryell, receaving, and admissioun of suche persons as beare publict charge and functioun therin, or that possesse and live by the rents and fruicts wheron the ministers of God's Word, the schooles, and poore, ought to live and be interteanned: And understanding now, that notwithstanding the puritie and unioun in doctrine continueth within this realme, by God's favour and providence, the space of threttie yeeres or thereby now bygane, neverthelesse, the sindrie troubles and alteratiouns interveening in the meane tyme, have not suffered the ecclesiasticall policie, in things concerning the necessar provisioun of them that duelie and lawfullie served in their calling, nor the tryell and correctioun of them that abused and neglected the same, to be cared for, and putt to due executioun: for remeed

wherof, and provisioun to eshew the like inconveniences heerafter, nothing hath appeared more necessar and expedient, than to establishe a certane and lovable forme of ordinar judgement, for cognoscing upon all causes and vices which may be led against the persons or lives of whatsomever ministers, or others brooking benefices of cure, or others ecclesiasticall livings or rents, as ministers, readers, or as teachers, schollers, students, or maisters of hospitalls, receavers or intrometters with the rents belonging, or destined to the sustentatioun of the ministrie, teachers, and schollers, or releefe of the poore and impotent: And being informed of the pietie, learning, discretioun, experience, and sound judgement of his weilbelovits, Mrs Robert Pont, David Lindsey, Robert Bruce, Adam Johnstoun, and James Carmichaell, all ministers and preachers of God's Word, his Majestie, with the advice of the Lords of his Secreit Counsell, hath elected, nominated, constituted, and ordeanned, and by the said commissioun nominats, elects, makes, constituts, and ordeans them Judges and Commissioners in ecclesiasticall causes, to the effect underwrittin; giving, granting, and committing to them, or anie two of them conjunctlie, full power and authoritie to call before them all persons pretending to be provided, or anie wise bruiking benefices of cure, or others ecclesiasticall livings or rents belonging, or destined to the sustentatioun of the ministrie, or of teachers, or schollers in universiteis or schooles, or for releefe of the poore and impotent, which are or sall be delated of heresie, papistrie, false and erroneous doctrine, commoun blasphemie, nonresidence, pluralitie, simonie, and dilapidatioun, or anie of the saids causes and vices; to heare and see them deprived, and decerned to tyne their said benefices, or others ecclesiasticall livings or rents therefore; as also, to call and proceed to deprivatioun against them, and all beneficed persons that are alreadie, or sall happin to be heerafter first convicted criminallie, for treasoun, slaughter, mutilatioun, adulterie, incest, thift, commoun oppressioun, usurie, perjurie, and falshood. And, in like maner, to call and proceed to deprivatioun against all persons pretending to be provided to benefices *pleno jure*, having cure of soules annexed to them, without lawfull pre-

sentatioun and ordinar collatioun, according to the lawes and lovable custome of the realme. With power also to call before them, and cognosce upon all double titles of benefices, if questioun be, upon admissioun givin upon double presentatiouns, and to doe justice to the parteis compleaning upon wrong admissioun givin by whatsomever person, bishop, commissioner, or anie other pretending right of admissioun; and to discerne their right to be valuable, that sall be found to have best right and title. And to trie and consider what prelaceis have vaiked since the acceptatioun of the governement of the realme in his Majestie's owne persoun; and if the kirks annexed to the said prelaceis be provided of sufficient ministers, with competent livings, and stipends be reserved in the said provisiouns, to the effect that ministers may be provided thereto *ad vitam;* and to the effect that if anie gifts or provision of prelaceis be alreadie, or sall happin to passe otherwise, the samine may be declared null, and of none availl, force, nor effect, according to the act of parliament made theranent: and to searche, enquire, and trie the true estat of the rentalls of all prelaceis, and other benefices within this realme, at this present; and in whose default, and by what occasioun the saids benefices the rents therof are so farre hurt and dismembred, that therafter the best remeeds possible may be considered and provided, for helping of the saids rentalls heerafter, both for the weale of his Hienesse and the kirk. With power to the said judges and commissioners, or anie two of them conjunctlie, as said is, to proceed and minister justice in the said causes; and to sitt in the yle, within the parish kirk of Edinburgh, or anie other places, at whatsomever day or dayes they sall thinke expedient, als weill in tyme of vacance as others, dispensing with them theranent; and to make, creat, substitute, and ordeane clerks, and all other officers needfull, for execution of their offices in the said commissioun; and to summoun witnesses, if need be, to compeere before them, ilk persoun under the paine of twentie punds. And, generallie, etc., firme and stable, etc. And that the said commissioun be extended in the best forme, with all clauses needfull; with command in the same, to the Lords of Counsell and Sessioun, to

grant siclyke letters and executioun upon the decreits and sentences of the said judges and commissioners, or in helpe and supplee of their processe and judgement, as of anie other judges ordinar within this realme. Charging alsua all and sindrie his Hienesse' lieges, to answere and obey the saids judges and commissioners in all things concerning the execution of the said commissioun, under all highest paine and charge," etc.

"Subscribed by our Soverane Lord, at Leith, the 15th day of October, the yeere of God 1589 yeeres."

THE KING EMBARKETH FOR NORWAY.

The king embarked at Leith, upon the 22d of October, at nyne houres at night, accompanied with Chanceller Matlane, Mr Alexander Lindsay, Lord Spynie, Sir William Keith, the Justice-Clerk, the Proveist of Glencludden, the Laird of Barnbarroch, the Laird of Carmichael, Mr Johne Skeene, and sindrie other barons and gentlemen, to the number of three hundreth persons. At his departure, he willed Mr Robert Bruce to be made acquaint with the effaires of the countrie, and proceedings of the counsell, reposing, as he professed, upon him and the rest of the ministrie above all his nobles. He was not disappointed, for they did their endeavoure, and the countrie was never in greater peace than during his absence. Where as before, few moneths or weekes past over without slaughter and bloodshed, there was little or none at all done in his absence.

GOVERNOURS APPOINTED IN THE KING'S ABSENCE.

The day after the king embarked, a proclamatioun was made at the Croce of Edinburgh, wherin the caus of his departure was expressed, the chanceller and others that were in companie purged of all entysement, and the governours whom he had left behind him nominated. The Duke of Lennox, with the assistance of Bothwell, was appointed to have a care of the east parts, but to

doe nothing without advice of the Counsell; the nobilitie and gentlemen of everie shyre neere hand were appointed to remaine in Edinburgh fourteene dayes by course; Hammilton, for the West, to remaine in Dumfreis, and take the advice of Glencarne, Maxwell, Hereis, Boyd; and so furth of the rest.

BOTHWELL MAKETH HIS REPENTANCE.

Bothwell, in the king's absence, offered to Mr Robert Bruce and Mr Robert Rollocke to make his publict repentance. So, upon the Sabboth day, the nynth of November, he humbled himself on his knees, in the Little Kirk before noone, and in the Great Kirk after noone. In his confession, he wished that he could utter all that was in his heart, and prayed the people to pray for him. He confessed his licentious and dissolute life, and promised to prove another man in tyme comming. But he mocked God and his people, as was seene after; for the same night, or soone after, he ravished the Erle of Gowrie's daughter out of Dirleton, and likewise mett with the northland conspiratours conveened in Kincairdin, as was alledged, at the baptisme of the Lord Hume's childe. There arose a querrell betuixt him and the Lord Hammiltoun, becaus of some emulatioun betuixt the Lord Hammiltoun and the duke, Hammiltoun being somewhat malcontented that the duke sould have beene left cheefe president and governour in the king's absence. But Bothwell yeelded, being brought to acknowledgement of his owne rashnesse by Mr Robert Bruce. Howbeit, he made his repentance in the kirk with teares, and said, he wished God would perswade them all of his repentance, as God had perswaded him, and so knitt to him the hearts of manie, yitt in short tyme it was seene that it was but a false perswasioun.

The king arrived in Norwey within six dayes after he embarked, and came to Upslaw in Norway the 19th of November, and was maried with great solemnitie and triumphe in that toun, upon the 24th day of November, by Mr David Lindsay, minister at Leith, who accompanied him. Colonell Stuart and the Laird of Barn-

barroch returned to Scotland, and reported that he had landed in safetie, and was maried in proper persoun. They brought with them this letter following, from Mr David Lindsay, to the eldership of Edinburgh:—

"*The Lord Jesus Christ by his mightie power confort you.*

"After diverse perells, and troublesome journeyes both by sea and land, we came heere to Upslaw, the 19th of November, where I maried his Majestie the nixt Sunday therafter, with a princesse both godlie and beautifull, as appeareth to all that knoweth her. I trust she sall bring a blessing to the countrie, lyke as she giveth great contentment to his Majestie. Before our comming, the counsell of Denmarke had concluded not to suffer her to take the sea this winter, which is the caus of our stay. And albeit his Majestie hath granted licence to the greatest part of his companie to returne homeward, yitt I could not obteane the like, seing thereby, altogether he would have beene destituted of a minister. And, surelie, I would not willinglie have accompanied his Majestie to this countrie, if I had not done the like in his home-comming. I trust the sight of this countrie sall be profitable to his Majestie and the kirk. Remember us in your prayers. Leaving to trouble you farther, committs you to the protectioun of God. From Upslaw, the 28th of November, 1589.

"Your loving brother,

"David Lindsey.

"His Majestie hath commanded me to write earnestlie unto you, that in his absence you be verie diligent to counsell all estats of persons to keepe good order and quietnesse; which will make him to esteeme weill of the whole ministrie, which they will know at his Majestie's returning. Great necessitie constraineth his Grace to be so long absent, as after yee will better understand."

THE KING'S LETTER TO MR R. BRUCE.

The king wrote a freindlie letter to Mr Robert Bruce, wherin he thanked him for the care he had of the peace of the countrie in his absence, acknowledging that he was worthie of the quarter of his petite kingdome.

THE KING'S JOURNEY OUT OF NORWEY TO DENMARKE.

The king stayed at Upslaw from the 19th of November till the 22d of December. Then, being earnestlie requeisted by the king, the queen mother, and the rest of the counsell, to come and visite them, he tooke journey toward Denmarke, and was weill interteaned by the way in manie of the preests' houses, where he had occasion to consider and to take to heart the povertie of the ministers of Scotland, and to thinke upon some remeed in the owne tyme. The King of Sweden's brother convoyed our king and queen through a part of Sweden, accompanied with foure hundreth hors weill appointed at the commandement of the King of Sweden, howbeit there was warre betuixt Denmark and Sweden in the meane tyme. They went through Newluds, which is esteemed the secund towne of Sweden.

M.D.XC.

AN ATTEMPT TO SURPRIZE EDINBURGH SUSPECTED.

Upon Moonday, the fyft of Januar, there was a great feare of surprizing Edinburgh in the night by the Papists, who were thought to be in the toun with their freinds, verie frequent. The repaire of Crawfurd, Claud Hammiltoun, the Setouns, and others evill affected to religioun, and the sight of manie uncouth faces, bred this suspicioun. The suspicioun was augmented by a brute of some Spaniards to be sent from the Duke of Parma to Leith. The Erle of Morton and Maister of Glames being in Dalkeith, wairned the

Erle of Marr, the Lord Hume, the Lord Lindsey, the Lairds of Cesfurd, Coldingknowes, and others their freinds, to be in readinesse upon the nixt advertisement. They purposed to goe to Edinburgh in cace the Popish factioun had stayed long, or had increassed in number. The duke and Bothwell found fault with the burgesses for bearing their swords, and keeping so strait watche without their advice and warrant. The proveist and bailliffes, accompanied with Mr Robert Bruce, answered, that they had done nothing but according to their priviledges. They laboured to perswade Mr Bowes, the English ambassader, and the ministers, that they had no purpose, ather against the ministers or other professors. Montrose wrote likewise that it sould be against his will if anie stranger landed heere: and yitt, Thomas Duncan of Leith reported, that Johne Knolls of Aberdeen had caried letters to the Duke of Parma, directed from sindrie noblemen, and had brought his answere again. And, in the meane tyme, a Spanish shippe arrived at Wigtoun with gold, as was suspected, to the Scotish erles. The lords lieutenants sent the Pryour of Blantyre and the Laird of Barnbarroch to try. They brought with them upon the 28th of Januar the captan of the shippe, three Spaniards, a Scotishman called Melvill, an Englishman, two mariners; and left in the shippe to the number of threttie persons. The Scotish mariner was wairded in the Castell of Edinburgh; the rest were sett at libertie, howbeit there were sindrie presumptiouns, that they were come to plumme our waters, and to try where the Spanish fleete might land.

NIDRIE KILLETH A GENTLEMAN IN THE KING'S ABSENCE.

Upon the 16th of Januar the young Laird of Nidrie killed a gentleman depending upon the Abbot of Halyrudhous, becaus he reproved him for striking of an officer of armes. Immediatlie after the slaughter he went to Edinburgh, and had conference with Bothwell. This was the onlie slaughter that I heare of in the king's absence; but committed by the man who had escaped the hands of justice in an uncouth maner, whill the king was present.

THE KING RECEAVED BY THE KING OF DENMARK.

Upon the 21st of Januar the king crossed the Sound before Elsinure, and landed at the Castell called Tamberrie; being mett by the king, the queene, the queene mother, the Duke of Holster, upon the bridge; the king's brother, Elizabeth, the king's eldest sister, the foure regents, and the rest of the counsell. After salutatioun they marched, everie one in their owne rankes, in to the castell; the King of Scotland, the King of Denmarke, the Queene of Scotland, the Queene of Denmark; the Duke of Holster going before them bare-headed, the princesse Elizabeth following the two queens, and the counsell according to their owne rankes. The cannons were shott continuallie for halfe an houre.

PETITIONS TO THE KING AND COUNSELL.

Upon Tuisday, the 27th of Januar, diverse brethrein of the ministrie assembled to Edinburgh. They agreed that a commoun letter sould be sent to the king to deplore the estat of the church. *Item*, That some of their number sould be sent to the counsell with some petitiouns; speciallie, that commissioun be givin to some to concurre with some of the ministrie, to try who would concurre by subscriptioun for the maintenance of religioun, the countrie, and the king's authoritie, according to the order taikin by the king and counsell before about a yeere since, when the Spaniards were looked for.

Mr Johne Davidsone penned this letter following, at the desire of some brethrein, to be sent to the Queen of England; which conteaneth an apologie for our kirk against the calumneis of Doctor Bancroft, uttered in sermoun, the first Sabboth day after the beginning of the parliament, and after published in print. But it was not sent and delivered as was intended.

" *To the Most Mightie Princesse, and worthilie Most Renouned Ladie of our dayes, Elizabeth, Queene of England, &c., and her Right Honorable Counsellers; the Ministrie of God's Word in Scotland, presentlie assembled in Edinburgh, wishe the increase of the spirit of godlie governement, with a long and prosperous raigne in Christ, to her Majestie. Amen.*

" As ever hitherto, Most Mightie Princesse, and Right Honorable Counsellers, we have beene most carefull of the continuance of the commoun peace in Christ betweene these two realmes, which, as no doubt it is weill knowne to you all, so it pleased her Majestie, in speciall, within these few yeeres, not without great significatioun of a thankefull minde, by your owne hand writt to acknowledge us heerin, in speciall, to be your most loving freinds and trustie weill willers, as (God be praised) we continue to this day; professing freindship and good will in Christ, als weill to your self as to your whole realme. As we have ever beene most carefull of this, we say, so we have ever cheefelie studied that Christian concord might be procured and nourished within the bowells of our owne countrie and commoun weale, by teaching everie man in his place and calling, first to obey God, and then the civill magistrat, in the Lord. Wherof, beside the testimonie of our owne consciences, we have the king his Majestie, the counsell, and whole bodie of this commoun weale to beare witnesse.

" Howbeit we grant our labours in this cace, through the malice of Satan, and God's secreit judgements, have not had suche prosperous successe as from our hearts most earnestlie we wish, which in no wise can be attributed to God's holie ordinance, nor to our good endeavoure in that behalfe; neverthelesse, some aspiring heads, and bissie spirited men of the ecclesiasticall estat, (as they will be called,) namelie, of your realme, more carefull of their owne preferment worldlie, with the defacing of others, than studious appearandlie of godlie edifeing, and interteaning of brotherlie charitie, have laboured verie earnestlie this long tyme, als weill to sow some

seeds of mislyking of us and our ministrie into the heart of our owne native prince, as to bring us and it into utter contempt with you. And becaus they darre not openlie accuse us in the mater of commoun amitie, least thereby their malicious purpose sould soone be made manifest unto you, who so weill know our uprightnesse in that cace, they have gone to worke another way, and laboured by all meanes without and within to bring upon us and our ministrie the whole blame of all the domestick unquietnesse and civill seditiouns that have beene this long tyme within the bowells of our owne commoun weale, making us and our ministrie cheefe authors and instruments therof; yea, more, they upbraid us as the firebrands of rebellioun against our native soverane, and the onlie bellowes of great attempts against the pretious life of his royall persoun, (than the which nothing can more deepelie wound our troubled hearts;) heereby schooting, not so muche at our persons, as at Christ's holie ministrie through our sides; the sinceritie wherof in our weake hands, as it is most fearefull unto their guiltie consciences, so they thinke most safelie to bring it into hatred with you, and everie one of you, by surmising slanderous reports against us of things done, or alledged to be done, in our owne countrie, the particulars wherof, as they are not universallie so weill knowne to all, so more easilie may they breed suspicioun, except by tyme they be confuted.

"Heerof it hath come to passe, that as in manie other things they uttered their malice against us, so did they never lay themselves more opin in our contrarie than at the tyme of our late troubles; in contriving wherof, whether they were guiltie in anie sort, that is, whether they procured that Diotrephes, apostat of St Andrewes, to come into England to them, or whether, like Judas, he willinglie went and offered his service in that behalfe unto them, or what was their part in that pagean, we leave it to the day of the Lord's farther revelatioun. How ever it was, as he was weill interteanned with the cheefe of that crew, so soone after his returne into Scotland, that alteratioun followed, wherupon he and his complices tooke boldnesse to use that houre and power of darknesse, to write

most slanderous reproaches and false reports of us, and of our whole church and ministrie; and falselie fathering them upon the king, (as in the owne place sall be cleerelie proved,) under the name of 'The King's Majestie's Declaratioun,' caused them to be printed, and in great number sent into England, with all expeditioun; where they were so joyfullie receaved of these good men, your ecclesiasticall subjects, (who were even greedilie gaiping for them, as appeared,) that they haistilie did divulgat them. And becaus they would not have the mater buried, so farre as in them lay, they allowed (we will not say procured) the printing and reprinting again of the booke in Londoun, with a most odious additioun of a new preface, to engender the greater hatred in the hearts of all men against us, our church and ministrie. And so, triumphing as it were in our ignominie, [they] presented it to your Majestie, as we were informed, or to diverse, at the least, great personages of cheefe credit with your Majestie, greatlie rejoicing in reading and marking sindrie passages, which they thought served most to overwhelme us with everlasting shame: as also, for the perpetuall memorie therof, they have passed it to be sett in and imprinted, word for word, as we heare, in the chronicles of your countrie, compiled by Holinshed—a mater, no doubt, worthie of tymelie correctioun, least the whole historie gett the lesse credit, being blotted with such a blurre of manifest falshood, conteaning als manie lees as lynes.

"Neverthelesse, albeit so manie and diverse wise we have beene abused and highlie provoked by these your subjects aforesaid, having alwayes before our eyes the studie of commoun quietnesse, and continuance of the happie amitie betweene the two realmes, we have peaceablie putt up all these indigniteis to this day; never rencountering the same by word or writt, as, otherwise, it was lawfull eneugh for us to have done; ever hoping that ather these good people would surceasse from suche uncharitable kinde of dealing toward us, or ellis that yee by your authoritie would correct and suppresse their insolencie in that cace, considering that the beginning of strife is as the breaking out of water, as Salomon

sayeth. But we find, that of our silence they have taikin greater boldnesse, in so muche, that not onlie are some of our worthie and weill approved brethrein who escaped into England in our late troubles particularlie pointed out, as we heare, with most false and reproachefull titles, by diverse of that proud generatioun, after their arrogant, yea, and manie tymes (as speciallie in this cace) verie ignorant maner: a mater, they must thinke, that in no wise we can winke at;—but also, of verie purpose, they have sett up a chaplane, called Richard Bancroft, to blaze our infamie to the whole world, so farre as in them lyeth; who, among manie other unworthie parts, uttered against the good brethrein of your owne land, openlie at Paul's Croce, on Sunday the nynth of Februar last, in the tyme of parliament, in the most frequent assemblie of the realme, upon most false and frivole grounds, hath more impudentlie traduced us and our ministrie, than hath beene done at anie tyme heeretofore; not spairing our verie dead, but railing against that famous father of happie memorie, Mr Knox. And not contented to have us, in open sermoun, publictlie traduced, they have also, not trying the spirits, caused the same infamous and invective declaratioun come out in print, to the further defaming and provoking of us to greater contentioun. As also, they ceasse not, as we heare, to make our discipline rediculous in the eyes of men, by scoffing us in their stage playes. Wherefore, as we have thought it high tyme, by a short and modest answere, to purge our selves and our ministrie of so manifold calumneis most falselie forged against us, especiallie by that late firebrand, Bancroft, so we have thought it altogether expedient most humblie to requeist your Hienesse and Honours to looke to these things by tyme, that als weill this said chaplane, with his complices in that cace, may be duelie corrected for their most injurious dealing against us, as also, that sufficient order may be taikin for tymelie repressing the lyke attempts in tyme comming, als weill in him as all others your subjects foresaid; least otherwise we, being drivin through their unrepressed insolencie, by answering to cleere our innocencie in these caces, the mater come to a greater contentioun (which God forbid) than

weill can be quenched in our dayes: as also, by these our letters unfainedlie to protest, that as there is nothing that more earnestlie we desire, than the continuance of our wounted love in Christ, so there is nothing that more we abhorre than that the commoun enemie, the Papists, sould take anie heart unto them, through our contentioun about these maters, to upbraid the undoubted truthe, which otherwise universallie we professe, after their wounted maner. For as there are manie thowsands in England of all sorts and degrees that agree fullie with us, even in the mater of discipline it self, als weill as in all the articles of religioun, so there is no great variance (in professioun at the least) betweene these our adversars in that cace and us, save onlie in the points of doctrine which concerne discipline. Wherin, if they can not agree with us, lett them temper themselves, at the least, in the meane tyme, from all farther uncharitable dealing against us heerafter, untill it may please God to move your wisdoms to a farther consideratioun of reforming the great present abuses of your church governement, according to the Word of God, to the glorie of his name, and sure establishing of amitie betweene the two realmes, through Christ Jesus our Lord. Amen."

Johne Nortoun, Englishman, and stationer, dwelling in Edinburgh, his letter to Doctor Bancroft, wherin he thanked him for his bountifulnesse, was intercepted. He was examined upon the 12th of Februar, when he was readie to take journey toward England, by Mr Robert Bruce, and some others of the ministrie, upon suspicion of secreit intelligence with Bancroft, to the prejudice of our kirk. He confessed, with teares, that he was sett on worke by his uncle, old Nortoun, at the requeist of Doctor Bancroft, upon promise of some commoditeis in his trade; and exhibited to them some questions delivered by old Nortoun in Paul's Church to him, for resolutioun and informatioun.

BANCROFT'S QUESTIONS.

"1. Considering the king's edict, 1584, how it came to passe, that the bishops were so soone overthrowne again, and the presbytereis so soone re-established; and of the circumstances of that actioun?

"2. How manie presbytereis there be in Scotland erected; whether there be one in everie parish, according to their old distinctioun of parishes; or if they have made a new distinction of them, how manie parishes generallie they have putt into one, and whether everie suche parish or presbyterie have a preaching pastor, and a catechizing doctor?

"3. How manie elders are generallie in everie presbyterie; and whether they be suche men, and so qualified, as St Paul, 1 Tim. iii., required a bishop to be qualified: likewise, how manie deacons there are, and whether they be qualified in everie respect lyke unto St Paul's deacons? 1 Tim. iii.

"4. If no ministers be allowed of, but suche as be preachers, and that some parishes have therefore none at all, what becometh of the people in suche parishes as are destituted; who christeneth their childrein; what prescript forme of publict prayer have they, als weill in the weeke dayes as upon the Sundayes?

"5. If manie parishes, as too farre, are become one, what is done with the old churches of the former parishes; how farre thereby are men constrained to come to their presbyterie church; how oft in the weeke are the people bound to come thither, and how are the churches keeped in reparation, generallie, through the countrie?

"6. Whether have they in their consistoreis anie sett jurisdictioun; whether the king be exempted from their censures? By what authoritie doe they command anie man to compeere before them? If one, for exemple, sall be compleaned of for adulterie, or anie other the like offence, and doe deny the same, by what course of law doe they proceed against him? whether doe they examine witnesses upon their oathes against the supposed offender, or whether doe they inflict their censure upon a bare relatioun,

without the oath of suche as be accusers? or whether are not suche offenders first convicted by witnesses before the civill magistrate, and then, after they have susteaned suche punishment as the law of the realme doeth lay upon them, are they returned to the ecclesiasticall censures?

"7. If this last course mentionned be observed, and if the partie so punished by the lawes of the realme doeth schow himself thereby verie penitent, whether doe the consistoreis proceed against suche a persoun anie further by their censures?

"8. If anie man suppose himself to be injureid by anie presbyterial consistorie, whether he may appeale; and whither; and whether have everie presbyterie an absolute jurisdictioun, so as in the causses they deale withall there lyeth no appeale from them?

"9. What maner of causes be they, wherewith all the consistorians doe not meddle: whether they doe keepe the old distinctioun of ecclesiasticall and civill causes, and so deale with ecclesiasticall onlie: or whether doe they not accompt all the causes of the kingdom, being a Christian kingdome, to be ecclesiasticall, and so intrude themselves to be dealers and directers, als weill in temporall causes as ecclesiastical?

"10. Whether is all the canon law abrogated? If it be not, what lawes and constitutiouns have the presbytereis to proceed by? or whether have they none at all, but that everie consistorie doeth proceed according to their owne consciences, ruled, as everie one may say, by the Word of God?

"11. How doe the ministers and the elders agree in everie consistorie; and whether doe they proceed, in suche caces as doe come before them, by number of most voices?

"12. What place have the ministers and consistoriall elders there in parliament? whether have they voices in all kinde of causes, or in ecclesiasticall onlie? or whether have the laitie in suche assembleis anie thing to deale with maters of the church, otherwise than to confirme these things (without questioun making or farther disputatioun) which the ministers and elders doe determine?

"13. Whether have they anie sett Assemblies termed Conferences; and how manie presbytereis doe apperteane to everie suche conference? Whether the old distinction of bishop's dioceis be not reteaned, and whether the whole land, in respect of the church governement, be not distinguished in provinces? If it be, whether have they not provinciall synods? if they have, how manie conferences are bound to appeare in that synod? If they have neither of these synods or meeting, what kinde of synods or meeting have they; who doeth summoun them, and by what authoritie are they summouned?

"14. If they have certane sett synods, etc., appointed by law, then, if the ministers and elders doe thinke meete to assemble themselves extraordinarilie, whether may they doe so or no? By whose commandement doe they soe assemble; and who doeth give particular notice therof to everie severall man?

"15. If the governours of anie particular presbyterie doe thinke this or that to be expedient for the congregatioun committed to their charge, which is not alreadie concluded of by anie former and greater authoritie, whether may they by their owne authoritie appoint and command the same?

"16. Upon anie occasioun which there sall fall out of the meetings of the ministers and elders, whether in conferences, provinciall synods, or howsoever, by what authoritie doe they command these things to be generallie observed, which there they doe conclude and determine? If by the king's, then, whether hath his Majestie a negative voice therin? If he use the said voice, whether may they, notwithstanding, urge the people to observe them, and punishe them if they disobey them? And whether may the ministers proceed against his Majestie with their ecclesiasticall censures, if he sall persist in denying to confirme anie suche their decrees?

"17. Whether do they attribute unto the king anie further authoritie in causes ecclesiasticall, (now seing their presbytereis are erected,) than that he ought to defend the same so erected, and confirme by his authoritie suche lawes and maters ecclesiasticall, as the ministers and elders sall conclude of, so as, by his commandement,

they may be the better observed? or what farther authoritie they attribute to him?

"18. What maintenance of living have the ministers? If but little, how doe they beare it? How are the bishops' livings bestowed? who hath the tithes? or whether be there none payed at all? If the laitie have both the said livings and tithes, who doe pay the ministers their wages? If the people doe pay them, how doe they take it to pay their tithes to the laitie, and yitt to have that charge layed upon them for the finding of their ministers?

"19. Whether have the lay or ruling elders anie allowance for their pains in their severall charges; and who doeth pay it?

"20. What accompt is generallie made of the ministers for their learning, gravitie, and age, to be ministers; of the elders, for their maner of proceeding, and of that presbyteriall governement for the course which generallie it holdeth? How are their censures generallie feared; and what great reformatioun of maners doeth thereby appeare, especiallie prayer, fasting, obedience to superiours, humilitie, brotherlie love, and patience?

"21. What course hath beene held against the Archbishop of St Andrewes?

"22. Whether is Buchanan's treatise, 'De Jure Regni apud Scotos,' approved there by the consistorians, and the contents therof allowed for good doctrine?

"23. How have the ministers dealt with the king from tyme to tyme?"

Upon the 19th of Februar, the king wrote this letter following to Mr Robert Bruce:—

"Good Mr Robert,—Besides the welcome newes that by your last letter yee sent unto me, yee painted out so vivelie therin your honest meaning to my service, besides the good report I have otherwise heard of your daylie travells for that effect, now during my absence, as I thinke myself beholdin whill I live never to forgett the same. And now, Mr Robert, since by the seasoun of the yeere, ye may perceave that, God willing, your fasherie in that is

neere an end, yee may fight out the rest of your battell with greater courage; *Nam perseveranti in finem*, etc. I pray you, wakin up all men to attend my comming, and prepare themselves accordinglie, for my dyett will be sooner, able,[1] nor is looked for; and as our Maister sayeth, I will 'come lyke a theefe in the night;' and whose lampe I find burning, provided with oyle, these will I cunne thankes to, and bring into the bankett hous with me; but these that laike their burning lampes, provided with oyle, will be barred at the doore, for then will I not accept their crying, 'Lord, Lord,' at my comming, that have forgett me all the tyme of my absence. How properlie this metaphore conveeneth with my purpose, I leave to your judgement. For God's sake, take all the paines yee can to toone our folkes weill, now against our home comming, least we be all shamed before strangers; and exerce diligentlie your new office of redder and componner! I thinke this tyme sould be a holie jubilee in Scotland; and our shipps sould have the vertue of the arke, in agreing for a tyme at least, *naturales inimicitias inter feras;* for if otherwise it fell out, (*quod Deus avertat,*) I behoved to come home like a drunken man amongst them, as the prophet sayeth; which would weill keepe decorum, to comming out of so drunken a countrie as this is. I pray you, recommend me heartilie to the good proveist of your toun; and in anie thing he can, pray him to assist my effaires, as I have ever beene certane of his good will in moe services; speciallie desire him to further all he can the reeking out of three or foure shippes, to meete me heere, and convoy me home, as more particularlie the counsell's directiouns will informe him; and likewise, I doubt not, he will assist the Maister of Worke, in getting als manie good craftsmen as may be had, for ending out the halfe perfytted Abbey, that lyes in suche a dead thraw, as did the hoastie of *Hoc est enim cor*—betuixt the Spangnell preest's hands. Thus recommending me and my new rib to your daylie prayers, I committ you to the onelie Alsufficient.

"From the Castell of Croneburg, the 19th of February, 1589.

"JAMES R.

[1] Perhaps.

"Recommend me heartilie to my three ministers, and show Mr Patrik my man, I am sorie he has beene so long hained from court. But he may the better wait on heerafter."

This letter was directed on the backe in these words,—

"*To our trustie and weilbeloved, Mr Robert Bruce, Minister of the Evangell at Edinburgh.*"

About the same tyme, Chanceller Matlane being in companie with the king, wrote likewise to Mr Robert Bruce as followeth:—

"*To my loving Brother, Mr Robert Bruce, Minister of Christ's Evangell at Edinburgh.*

"Brother,—By your letter of the 28th of November, delivered to me the ferd of Januar, (wherof I thanke you most heartilie,) I understand what was then the estat of that realme, more quiett than there was appearance at his Majestie's departure, which is cheefelie to be imputed to the mercie of God; as alsua, all men standing upon their owne guarde, leaning to no other protectioun. The practises of bussie men tending to incompatible ends, and your owne travells in componing differences, and watchefull ey and paines taiken to obviat to factious persons, has beene no small occasioun of quietnesse *in hoc quasi interregno*. Yee have beene keeped occupyed beside your ordinarie charge, to keepe all things in good frame there, wherof his Majestie has understand by diverse meanes; and so conceaves of you, as one in that realme most carefull of him and his estat, as yee will more amplie understand by his owne letter.

"My cheefe care was to perswade his Majestie's returning before the closing of the seas; which I could not obteane, (for suche occasiouns as I doubt not yee have knowne er now,) by suche as were directed from us. Sensyne, I am holdin perplexed and in cummer to conserve his Majestie's tocher; which moved me cheefelie to be so farre opposite in opinioun to his Majestie and others

heere, and to withstand the resolutioun taikin for his repairing from Norway to Denmarke, foreseing (beside the cummer and coast to thir countreis, and their Majesties' travell in so longsome a journey) what occasioun of expences he sould have in a forrane part, in the eyes of strangers, where diverse dukes of Germanie are to repaire, whose companie, and exemple, and honour of his ranke and name above theirs, sould putt him to exorbitant charges. As alsua, interview of princes produces not oft the expected fruict, but breeds rather emulatioun, than increasse of amitie or good intelligence. And heere we are farther from home, and must have a more longsome, publict, and perellous voyage in our returning, than we might have had out of Norway, which is little above three dayes sailling from Scotland. Although my arguments and oppositioun were not effectuall to stay the journey, yitt I hope to gett the most part of the tocher preserved, which will not be without great feed and difficultie; for to save the whole will be impossible, in respect of our slender provisioun, and honour and necessitie being so urgent. The next remeed is, to haste his Majestie's returning, wherin I sall be an earnest solister, and have alreadie dealt with them of cheefest authoritie heere, who have alreadie givin command to beginne to prepare the navie. It is looked for heere, that some shippes sall be directed from Scotland, with the first commoditie, with the most expert mariners, and skilfull pylots to conduct this navie, speciallie in the Scottish waters, where thir men leane not greatlie to their owne experience. If suche had beene in the fleete, the last yeere, his Majestie would not have needed to have interprised this voyage. They are indeid necessar, and would serve to great purpose, if they might convenientlie be had.

"His Majestie's dyet will not be divulgated, and no certane day prefixed to his loosing; and he intends, in all events, to be the first warner. I hope in God his arrivall there sall be sooner nor is expected; and if anie bussie braines be sett on worke, their practises sall be prevented, and they surprized unawars. We heare from Germanie manie of the princes there are weill affected to the sincere truthe, and that manie of them agree fullie with us in religioun.

There is good hope of reformatioun in manie of their estats, if it were wiselie travelled, as also, that they would gladelie yeeld to a contraleague, to occurre to that antichristian, which threatneth all Europ. We are airche[1] to meddle deepelie therin, fearing to irritat the jealousie of our nighbours, who would misconstrue all our proceedour therin, if we sould deale without their privitie. Yitt moyen sall be made to prepare the mindes of suche as we may move, attending the concurrence, or rather, the motioun of England to that purpose. The Dukes of Magilburgh and Brunswicke are shortlie to be heere, where the mariage of the eldest sister sould have beene accomplished. But for my owne part, I thought it was not meete for his Majestie, that it sould be celebrated during the tyme of his residence heere, for manie considerationns. It is indirectlie gottin delayed till the Sunday after Witsonday.

"As we may have commoditie of bearers, yee sall be advertised of our proceedings and occurrences heere. My wife has advertised me, what aid and confort she has of you; wherefore, I can not forbeare to give you most heartilie thankes. I have writtin to the Clerk of Register and others to further the platt, which is the thing in that realme I most affect. I know yee will both be a promoter and carefull soliciter therof. His Majestie has not onlie promised, but solemnelie vowed, a frugalitie at his returning, wherof he sees good exemple heere in all estats, speciallie the queene, his mother-in-law, whom her daughter, our maistresse, is like eneugh to imitat, and will not be found prodigall, but rather inclyning to the contrare. So, I have the better esperance vowes sall be performed, wherof there is alreadie some beginning. I sall by God's grace observe your counsell, and not deceave your opinioun, wherof I remitt to tyme and occasioun to give full testimonie in the meane while. After my heartiest commendatiouns to your self, and the remanent brethrein there, I wishe you in Christ Jesus that which yee most desire, who mott preserve you eternallie.

"From the Castle of Crouneburgh, the 12th of Februarie, 1589.

"It is beleeved assuredlie heere the queen has conceaved. God

[1] Reluctant.

of his mercie blesse us with a godlie young prince, to His glorie, and the settling of our estate. If so be, we will thinke our travells weill bestowed.

"Yours alwayes as his owne,

"Jo. Maitland."

THE * * GENERALL ASSEMBLIE.

The Generall Assemblie was conveenned at Edinburgh, the * day of Marche. Bothwell, Montrose, and Fleming, gave in a supplicatioun in favours of Fentrie. Some brethrein were appointed to conferre with him. Upon the fyft of Marche, the said lords requeisted for twentie dayes' libertie for further conference. It was granted, upon conditiouns that he be keeped at the proveist's appointment in some honest man's hous, where none sould have accesse to him without the presence of some of the ministrie; and that if he remained obstinat, they would travell no more for him, nor have anie dealing with him. Mr Andrew Melvill, Mr Nicoll Dagleish, Mr Johne Davidsone, and sindrie others, opponned, but in vaine, and, therefore, Bothwell and Montrose came again to the Assemblie the same day, after noone, and sought other twentie dayes, which was hardlie taikin with. Bothwell desired, in end, that the Assemblie sould conceave no evill opinioun of him, and promised to speeke no more for Fintrie.

Upon Wednisday, the elleventh of Marche, my Lord Hammiltoun offered to the Assemblie all kinde of assistance according to his power. The duke did the like after noone. Manie words, but few deeds!

It was appointed that a fast sould be keeped everie Sabboth till the king's returne.

A MINUTE OF THE GENERALL ACTS CONCLUDED IN THE ASSEMBLIE THE 3D OF MARCHE, 1589, *alias* 1590.

First, An act concerning discipline to be used against recepters of Jesuits, Seminarie preests, and excommunicats, wherof the dili-

gence is to be reported to the Presbyterie of Edinburgh betuixt and the first Tuesday of May nixt to come.

All pastors proceeding to the sentence of excommunication against whatsomever persons, injoyned to send the testimoniall of the sentence to the sessioun of the ministers of Edinburgh, to be intimat by them; as also, the sentence of absolution therfrom, under the paine to be publictlie admonished that failzies therin.

An act against the keeping of faires and mercats on the Lord's day, to be execute generallie, and in speciall, against certan persons nominat therin, who may stay the samine.

The subscription of the band of mainteaning religion and confession *de novo* is to be execute by the brethrein, and commissioners appointed by the Privie Counsell thereto; and that report of the diligence be made to the Presbyterie of Edinburgh, betuixt and the 20th day of May nixt to come. The said band, with Confession of Faith, Act of Secreit Counsell concerning Jesuits, Papists, and Seminarie preists, a new commission to receive subscriptions, are ordeaned by the counsell to be printed, wherof everie presbyterie sall tak home a copie; or give tickets to Mr John Davidson of the persons' names who sall receive the samine, and pay therfor; and siclike, to tak with them a requeist of the Assemblie to the commissioners.

Item, The whole ministers to proceed against Papists within their bounds, conforme to the acts of the kirk.

Item, Triell *de novo* is appointed of the whole presbytereis, as was had before this Assemblie, and their diligence to be givin in writt, in their Synodall, in October nixt to come, and therefrom brought back to the Generall, nothing altered in the whole commission except Elgine, Forresse, and Innernesse, to be tried by themselfs, and the presbytereis of Dumfermeline and Kirkaldie to try themselfs, with the assistance of Mr Andrew Melvill and Mr Nicoll Dagleish: Haddington, as before, changing Mr Nicoll Dagleish with John Brand; and at the triell of Peeblis, for Mr David Lindsey, John Brand.

The whole presbytereis within this land are commanded to

direct, under their testimonialls, the names of all the beneficed persons not making residence, and others incurring deprivation by Act of Parliament, that are els deposed, or sall be deposed heerafter, to the judges of non-residence, betuixt and the 20th day of May nixt to come, under the paine to be publictlie rebuked by the whole Assemblie.

Diligence to be done by pastors, commissioners, and presbytereis of countreis, against the interteaners of excommunicat persons, viz., that after admonition, they be proceeded against with the sentence of excommunication; and this diligence to be remitted back by everie presbyterie to the Presbyterie of Edinburgh, betuixt and the first Tuesday of May nixt; and the same order and execution to be followed on against recepters of Jesuits, Seminarie preists, to be likewise remitted, under the paine of deposition of the pastors negligents heerin, and accompting of the presbytereis and commissioners for slouthfulnesse.

Presbytereis and particular sessions to proceed against the violaters of the Lord's day, by keeping of mercats and faires thereon, with the censures of the kirk; and, in speciall, against the persons that may stay [them] to be holdin within their bounds.

It is ordeaned, that the brethrein recommend to God, in their publict and privat supplications, the afflicted brethrein in England, for the confession of the puritie of the religion.

The act concerning the acceptation of one kirk allanerlie by everie presbyterie, ratified, and to be putt in execution, and the refusers to be deposed of the function of the ministrie.

Synodalls are ordeaned to helpe the burrowes tounes within the same yitt unprovided and unhelped, and provide pastors thereto, exeeming Edinburgh, Dundie, Glasgow, St Andrewes, which are to remaine yitt as of before; and the provision to be, by some of their owne members or otherwise, who are licenced, to be transported by the Generall Assemblie, or suche as * *

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The act made before, and published in August, 1587, and the act made in Julie, 1588, were ratified in counsell, at the earnest desire

of the Generall Assemblie presentlie conveenned; and commissioun givin to a great number of lords, barons, and gentlemen in the countrie, to putt the said acts, and other acts and ordinances, and commissiouns against Jesuits, Seminarie preests, and excommunicated persons, in executioun. And farther, becaus of the brutes and rumors both of forrane and intestine platts, and preparatioun for the trouble of the estat of Christian religioun professed within this realme, and of the king's estate and standing, commission was givin to certane ministers to call and conveene before the lieges of whatsoever ranke or degree, to subscribe the Confessioun of Faith, and the generall band made and subscribed alreadie by the king and certane of his estats, tuiching the maintenance and defence of the true religioun, the king's person and estate, and withstanding all forraine preparatiouns and forces tending to the trouble therof; and commissioun was givin to certane noblemen, barons, and gentlemen, within the bounds particularlie prescribed to them, to concurre, in cace the ministers so required disobey, or be found obstinat. This act was made in the Secreit Counsell upon the sixt of Marche, in the beginning of the Generall Assemblie, which is extant before page 1033,[1] but is to be referred to this place. For it maketh mentioun of the Generall Assemblie presentlie conveenned in Marche, 1589, after the old style, that is, 1590 after the new style. So the act was made when the king was absent.

THE GENERALL BAND.

"We undersubscribing, considering the strait linke and conjunctioun," &c. See page 1038.[2]

THE ACT OF SECREIT COUNSELL AT EDINBURGH, MARCHE 6.

"James, by the grace of God," &c. See page 1033.[3]

Upon the 13th of Marche, priviledge was granted to the printer

[1] Page 37 of this Volume. [2] Page 49. [3] Page 37.

to print the foresaid act and band, together with the Confessioun of Faith, as followeth :—

"The Lords of the Secreit Counsell grant, and give license and priviledge by thir presents, to Robert Waldegrave, to imprint, or caus to be imprinted, the Confessioun of Faith, together with the generall band made tuiching the maintenance of true religioun, the king's Majestie's persoun and estate, and withstanding of all forrane preparations and forces tending to the trouble therof: As also, the Act of Secreit Counsell, conteaning a commissioun to certane noblemen, barons, and others, for searching, seeking, apprehending, and pursute of Papists, Jesuits, Seminarie preests, and excommunicated persons: with the like commissioun to certane ministers of God's Word, to receave *de novo* the subscriptions of all noblemen, barons, gentlemen, and others his Highnesse' lieges of whatsomever degree, to the said generall band; for the imprinting of the which Band, Act of Secreit Counsell, and the Confessioun forsaid, the saids Lords decerne and declare, that the said Robert sall not be called or accused criminallie nor civillie, by anie maner of way, in time comming, nor incurre no skaith nor danger in his person, lands, nor goods; but the same sall be compted and esteemed good and acceptable service unto his Majestie, tending to the advancement of God's glorie, and commoun weale of this realme. Exonering him by thir presents of all paine and danger that may incurre therethrough; for ever discharging by thir samine presents, all and sindrie judges and ministers of his Highenesse' lawes whatsomever, of all calling, accusing, troubling, pursuing, or in anie wise proceeding against the said Robert, for the caus forsaid, and other offices in that part."

Subscribed by the said Lords, at Edinburgh, the 13th day of Marche, the yeere of God 1589 yeeres, (1590 after the new style.)

By warrant of this priviledge, the printer beganne to print the

Act and Commissioun forsaid, together with the Confessioun of Faith, about the end of the same moneth.

Upon the 16th of Marche, the subjects were charged, by proclamatioun, to persevere in quietnesse, so muche the rather, becaus strangers were to come in companie with his Majestie: that none of the nobilitie repaire to his Majestie's arrivall but so manie as sall have commissioun; nor to the court till they be sent for.

Shipps were writtin for to transport the king and his companie. So, upon the 28th of Marche, Colonell Stuart, directed by the nobilitie, embarked at Leith, and had with him five shipps. The Justice-Clerk was in England, to procure shippes likewise for the king's convoy.

Upon the fourth of Aprile, the king wrote this letter following to Mr Robert Bruce, with his owne hand, as he had done the other before:—

"*To our right trustie and weilbeloved, Mr Robert Bruce, Minister of the Evangell at Edinburgh.*

"I have receaved, Mr Robert, from colonell a letter of yours, the counsell wherof, as I thanke you heartilie for it, so I promise you I am resolved deliberatlie to follow it, in my home comming. I pray you, continue carefull in all my effaires, as yee have beene, whill my home comming; for now, your fashrie, God willing, will last you but few dayes. I have heard of all the Generall Assemblie's proceeding, wherof I like verie weill. As to the contents of their letter, I sall, God willing, satisfie all your expectatiouns at my home comming. I doubt not of your diligence to perswade the toun of Edinburgh to guarde themselves in suche forme as the bearer heerof has in directioun unto them. I hope, by this letter come to your hands, it sall be tyme for you to pray for a good wind to us. So fareweill whill meeting.

"From the Castell of Crowneburgh, the fourth of Aprile, 1590.

"JAMES R.

"I pray you lett not this calme lull the toun of Edinburgh asleep; for in deadest calmes, yee know, suddane and perrellous pufts and whirlewinds will arise."

Upon the seventh of Aprile, Chanceller Matlane wrote this letter following to Mr Robert Bruce:—

"*To my speciall loving Freind, Mr Robert Bruce, Minister of Christ's Evangell at Edinburgh.*

"I am glade to understand by your letter, how God has miraculouslie preserved that realme in quietnesse, by the expectatioun of all men; which, as I wishe of God to continue, so doubt I not, seditious Papists and popishlie affected atheists will bussilie travell to disturbe. We heare some rumours of their practises, and the late Spanish barke discovered the dissimulated hypocrisie of some. His Majestie takes verie hardlie the enlarging of the Scotish pylot and Spaniards, and intended dismissing of that barke and her equippage; and wrote home to restraine them, and try them by all meanes, als weill torture as other examinatioun: for he understands there is more in that earand nor is confessed. I heare the band of the Bridge of Dee beginnes to revive, which, if my advice had beene followed, and our owne fellowship had not countenanced and dealt for them, and obteaned their appointment in my absence, sould not have had the moyen nor power to have uttered their evill will, as I heare they would, if they durst. And yitt will we soundlie concurre among ourselves, their lucke will be no better this yeere nor ferne yeere. His Majestie continues of als constant and fordward dispositioun as can be wished; wherof, by God's grace, I hope to see him give, within short tyme, effectual demonstratioun. As to me, although to cover their treasouns they seeme to take them particularlie to my part, yitt, I thanke God, tyme and their behaviour hath detected their designes. The more they freatt, the lesse I feare; the more they threattin, the more earnest sall I be to prosecute and advance the caus and course we had in hand. For promoting wherof, I sall nather spaire my credite, hazard of

life, nor whatsomever God sall putt in my hand, without fainting or swerving, for whatsomever present respect or future event, or looking for truthe or goodwill of faithlesse enemeis to God, their prince, and countrie.

"I sall not leave off to urge with all instance his Majestie's returne, which, as I wishe to be haistie and prosperous, so sall I preasse it to my uttermost. The onelie stay I feare is the attending upon some shippes from Scotland, without whose conduct, thir princes and state will be laith to hazarde their Majesties to the skill of anie heere, who are not weill acquainted with our coast and waters. If they be not directed away, I pray you deale with all instance to haiste them, that we linger not heere for laike of convoy. I heare a great part of the invy was wount to ly on me is derived on you. I sall doe what I can to haste me home, to susteane my part, least yee be overcharged. I know, since our departure, yee susteane a great burthein; but I doubt not God sall strenthen you, and make you able, both in spirit and bodie, to susteane it, it being cheefelie for his caus. I am glade my Lord Hammiltoun has caried himself so discreitlie, and would wishe, that men who accompt themselves more stayed, sould give proofe of the like constancie. Becaus letters replye not, but would be followed with diligent agents, I have advised his Majestie to send home the Laird of Carmichael, a man weill affected in religioun and course, to impart his minde and directiouns to noblemen and counsell there, yourself, the toun of Edinburgh, and others, by your advice, whom I have willed, to communicat unto you my minde and opinion in all things; and to use your directioun in suche things as yee sall thinke convenient for the establishing of religioun, the quietnesse of that state, and his Hienesse' service. So remitting all things to his declaratioun, after my heartiest commendatiouns, I committ you from my heart to God's holie protectioun.

"From Elsinure, the seventh day of Aprile, 1590.

"Yours alwayes as his owne,

"Jo. Maitland.

"I cannot forbeare to give you heartilie thanks for the confort, good advice, and assistance givin to my wife in my absence, which I sall doe my best endeavoure to acquite, als thankfullie as God sall give me the moyen."

THE KING RETURNETH WITH THE QUEENE, AND ARRIVETH AT LEITH.

Upon the first of May, the king and queene arrived in the Firth of Leith, and landed about two after noone, where the toun of Edinburgh, Leith, and the Cannogate, were in armour. The king led the queene by a trance,[1] covered with tapestrie and cloath of gold, that her feete tuich not the earth. Mr James Elphinstone made an oratioun in Frenche, wherin he congratulated her safe returne and prosperous voyage. The castell and shipps shott great voleis. The Duke of Lennox, the Erles of Marr and Bothwell, with sindrie others, receaved them at the staire heads. The queene being placed in her loodging, the king tooke the cheefe of the dames by the hand, everie one after another. Therafter he went to the kirk to praise God. Mr Robert Bruce came to him when he was to goe to the kirk, whom he embraced kindelie, and commouned with him a long tyme whill he was going to the kirk, where Mr Patrik Galloway, the king's minister, made the exhortatioun. The Lord Hammiltoun came to the king before he came furth out of the kirk.

THE QUEENE BROUGHT TO THE PALACE OF HALYRUDHOUS.

Upon Wednisday, the sixt of May, about foure of the clocke after noone, the king and queene came from Leith to the Palace of Halyrudhous, the king and the noblemen ryding on horsebacke, the queene in a Danishe coache drawing with eight hors, and richelie apparrelled with cloath of gold and purple velvet. The

[1] A covered way.

toun of Edinburgh, Cannogate, and Leith, were in their armes. The king taking the queene by the hand, convoyed her through the inner closse to the great hall, and thereafter to the chambers, which were richelie hung with cloath of gold and silver.

THE QUEENE'S CORONATION.

The king and the Danes would have had both the coronatioun of the queene, and her entrie to Edinburgh, upon the Lord's day. The proveist and bailliffes reviled despitefullie these ministers who laboured in the contrare, speciallie Mr Johne Davidsone. By his perswasioun, Chanceller Matlane laboured to have her entrie to Edinburgh upon another day nor the Sabboth. Some questioun was moved among the ministers, whether her coronatioun might be lawfullie upon the Lord's day. Some thought it might, becaus it was a mixed actioun, like mariage, and therin a solemne oathe past mutuallie betuixt the prince and the subjects, and from both to God, and the minister was to blesse. It was agreed among the ministers of Edinburgh convocated together by Mr David Lindsay, that the ceremonie of anointing was no part of the office of a minister; but as it hath beene a superstitious rite among Christians, borrowed from the Jewes, so now, if princes would use it, that it be used as a civill ceremonie; and that a subject may use it at the king's command, not as a minister, but as a civill persoun, providing declaratioun were made by the anointer in tyme of the actioun to that sense, that all opinioun of superstitioun be removed. The declaratioun was sett doun in writt. Mr Robert Bruce, Mr Robert Pont, Mr David Lindsay, Mr Walter Balcalquall, and the king's owne ministers, were appointed to be present at the coronatioun. The noblemen were writtin for. So, upon the Lord's day, the 17th of May, the queene was crowned in the Abbey Kirk. Before she went out of her chamber, the Chanceller was made Lord Thirlestane; the Maister of Glames, the Maister of Cassils, the Lairds of Basse, Balcleugh, Phairnihurst, Cesfurde, Dumlanrig, Lochinvar, Garleis, Glenurquhart, Halhill, Balwerie, were dubbed knights.

Then marched the king's houshold; nixt the barons, knights, burgesses, nobilitie; therafter the ministers. The Erle of Angus caried the sword, the Lord Hammiltoun the sceptre, the Duke of Lennox the crowne. Then followed the king, and the Erles of Atholl, Montrose, Murrey, and Marr, bearing up his rob royall; the Lords Setoun, Hereis, Livingstone, Ogilvie, following after. After them, the Chanceller, bearing the queen's matrimoniall crowne, the English ambassader on his right hand, and the admirall of the Danes on his left hand. The queene followed, accompanied with the English ambassader's ladie, the Countesse of Marr, the Countesse of Bothwell, and other ladeis. After they were placed in their seates in the kirk, there were three sermouns made; one in Latine, another in Frenche, the thrid in English. After sermoun, Mr Robert Bruce and Mr Johne Craig, ministers, made short oratiouns to the queene, which being ended, the queene was convoyed to a cabinett within the kirk, by the duke and the ladeis, where she was clothed with her rob royall, and so returned to her owne chaire. Then the crowne was taikin from the Chanceller, and sett upon her head by the ministers; others report, by the Lord Hammiltoun and the duke. The Ladie Marre loosed her right hand, which Mr Robert Bruce anointed, as also her forehead and her necke. The Lord Hammiltoun presented unto her the sceptre, the Erle of Angus the sword. The trumpets and drummes sounded a long tyme, and the cannons of the castell thundered. The kirk being voided, the king, queene, nobilitie, and ministers, went out of the kirk to the palace, after the same maner that they came furth. The solemnitie continued from ten houres till five houres at night.

THE QUEEN'S ENTRIE TO EDINBURGH.

Upon Tuisday, the 19th of May, the queene made her entrie in Edinburgh. She came by the south side of the toun, by the West Port, in a coache. A young boy descending in a globe, which opened, delivered certane keyes, with a Bible and a Psalme Booke.

Mr Johne Russell made an harangue in Latine, and the cannons of the castell were discharged. The nobles of Scotland and the Danish road before, and a traine of ladeis behind. The queene herself road in a coache drawin with eight hors, accompanied with the citicens in their gownes, and some of them careing a pale of purple velvet above the coache. At the strait of the Bow, Mr Hercules Rollocke, Maister of the Grammar Schoole, made an oratioun. At the Butter Trone, there were some young weomen coastlie apparrelled, standing upon a scaffold, playing upon organs, and singing of musicians. Mr Johne Craig's sonne, a young boy, had a short oratioun to her. At the Tolbuith were five youths, clothed in gentlewomen's apparell, one having a sword, another a ballance, the thrid a booke, the fourth a target, and other two with their signes, all representing Peace, Plentie, Policie, Justice, Liberallitie, and Temperance. Everie one expouned the significatioun of their owne signes. Therafter, the queene went in to the kirk, and satt in the east end, in the loft, under a faire cannabie of velvet. Mr Robert Bruce made the sermoun, which being ended within halfe an houre, the queene is brought furth. Comming by the Croce, they see there Bacchus drinking, and casting glasses, violers playing, and musicians singing. At the Salt Trone was represented the king's genealogie; and at the root of the tree a young boy made an oratioun in Latine. At the port of the Nether Bow were represented the seven planets, and the weird givin in Latine; and a faire jewell, of a great price, called the A, was givin to the queene. All the way there went, before the honest men of the toun, twentie-foure youths clothed, some with cloth of silver, others with white taffetie, and golden chaines about their neckes, legges, and armes, and visoures on their faces, making them seeme Mores. The fore staires were covered with tapestrie or faire coverings. Mr Andrew Melvill made an oratioun to the ambassaders, to their great admiratioun. The king acknowledged that he had honoured him and his countrie that day, promised never to forgett it, and commanded to print it with all diligence. The day following it was delivered to the printer, with an epi-

gramme of dedicatioun to the king, and entituled Στεφανισκιον. Josephus Scaliger, after the sight of it, wrote to Mr Andrew, and said, "*Profecto nos talia non possumus.*" Lipsius reading it, said, "*Re vera Andreas Melvinus est serio doctus.*"

Upon Saturday, the 23d, the Danish ambassaders were banketted by the toun of Edinburgh in the coine house.

THE SUMME OF THE KING'S HARANGUE IN THE GREAT KIRK.

Upon the Lord's day, the 24th, the king came to the Great Kirk, where Mr Patrik Galloway made a sermoun. The sermoun being ended, Mr Patrik desired the king to confirme his promises made before. So the king had a short harangue, wherin he shewed that he was come to thanke God with the people for his prosperous returne, and to thanke them for the good order keeped in his absence; to thanke the ministers for their care in stirring up the people to fast and pray for his safe returne, and peace of the toun. He promised to prove a loving, faithfull, and thankefull king; to amend his former negligence, and to execute justice without feed or favour, and to see the kirks better provided. He confessed manie things had beene out of order before, partlie through the injurie of the tyme, and partlie through his youth: but now he had seene more; and, being maried, he said he would be more stayed. Als soone as the strangers were dimissed, he promised to give himself whollie to executioun and performance of his promises.

THE DANISH COMPANIE DEPART.

Upon the 26th of May the Danish ambassaders embarked at Leith. The duke, the Lord Hammiltoun, Marr, and other noblemen, convoyed them, and supped with them in their shippes. When the lords returned the shippes shott their volie, and the Castell of Edinburgh answered by shott of cannon. They receaved in propines the worth of thretteene or fourteene thowsand crownes, in chaines and plait, or jewells; seven or eight tunnes of wine; aile,

beefe, bread, mutton, in abundance, were layed in to their shippes. There remained none of the Danish companie with the queene but sixteene persons, to serve her in one office or other.

Upon Saturday, the 13th of June, the Erle of Worcester, accompanied with the Lord Compton, and some knights and gentlemen, to the number of six or seven score, came from the Queene of England, and upon the 16th of June presented to the queene a cloake sett with diamonds, an horologe, a tablet, and a chaine, which was layed about her necke by the Ladie Marr. This ambassader was the Chanceller of the Assise which was led against the king's mother.

J. GIBSONE DENOUNCED REBELL.

James Gibsone, Minister at Pencaitland, was denounced rebell by sound of trumpet, at the Croce of Edinburgh, upon Wednisday, the 15th of Julie, becaus, being summouned before the Counsell, he compeered not, and had preached, notwithstanding the Generall Assemblie suspended him till he had satisfied the king, as the king alledged. But he was suspended onlie for contumacie in not compeering before them, of which contumacie he was purged in another Assemblie, after he had givin his excuse for his non-compeerance.

THE QUEEN CONVOYED TO DUMFERMLINE.

Upon the 17th of Julie the queene went over to Dumfermline, convoyed with a number of noble men and weomen.

Upon Fryday, the 24th of Julie, the Tutor of Drummalyer was slaine in the streets of Edinburgh by three or foure of the Vetches, who had their brother slaine by the Twedies. The king wrote to the Proveist of Edinburgh to sett them at libertie. The king soone forgott his promises made in the Great Kirk. A little before, he would needs have the Erle of Angus wairded, becaus of a tumult raised by him and Mr Alexander Lindsay at the Tolbuith doore. Mr Alexander would have caried one of his servants to

prisoun, alledging the king's warrant. The erle withstood him, becaus he had not his warrant to produce.

GENERALL ASSEMBLIE

The Generall Assemblie conveened at Edinburgh the 4th of August. Mr James Melvill, Moderator of the last Assemblie, made the exhortatioun upon 1 Thes. v. ver. 12, 13. He discoursed at lenth upon the Discipline. The heeds of his discourse were, 1. That discipline is most necessar in the kirk, seing, without the same, Christ's kingdome could not stand. For unlesse the Word and Sacraments were keeped in sinceritie, rightlie used and practised by directioun of the discipline, they would soone be corrupted. This was declared by the exemples of a republict and citie, and by the acts of warefare and pasturage. The historie of the beginning, continuing, breache, and restoring of the true discipline, was called to remembrance; and, therupon, exhortatioun was givin to deale earnestlie with his Majestie, that his Majestie would shew that true tokin of thankfulnesse to God for the great benefite of his safe preservatioun and returne, with his queene, from Denmarke, as to rescind and annull obscure and dangerous acts and lawes made in prejudice of the discipline, and libertie of Christ's kingdome within this realme, seing he hath found, by good experience, in his absence, as alwayes before, the good will, fidelitie, love, and care of the ministrie. He exhorted the brethrein to studie the discipline diligentlie, and practise it carefullie, that they might be able at all occasiouns to stand in defence therof, and at this tyme speciallie, for these causes: 1. Becaus of the estat of zealous brethrein in our nighbour kirk, standing for the truth, and suffering for the same. 2. Becaus these Amaziahs, the bellie-god bishops in England, by all moyen and money were seeking conformitie of our kirk with theirs, as did Achaz and Urias with the altar of Damascus. 3. Becaus we had lurking within our owne bowells a poysonfull and venomous Psyllus, so empoysouned with the venome of the old serpent, and so altered in his substance and

naturall, that the deidlie poysoun of the viper is his familiar food and nourishement, to witt, lees, falsehood, malice, and knaverie, who hath beene lurking a long tyme hatching a cockatrice eg, and so fynelie instructed to handle the whissell of that old inchanter, that no Psyllus, Circe, or Medea, could have done better. This is Mr Patrik Adamsone, who at this tyme was making a booke against our discipline, which he intituled Psyllus, and dedicat it to the king. In the epistle dedicatorie, he sheweth his purpose to be, to sucke out the poysoun of the discipline of the Kirk of Scotland, as the Psylli, a venomous people in Africk, sucke out the vennome of the wounds of suche as are stinged with serpents. "But I trust in God," said he, "he sall prove als mad a foole as did the sillie Psylleis, of whom Herodot in his Melpomene writteth, when the south wind had dryed up all their cisternes of water, they tooke counsell to goe against it in armes. But when they came in the desert, and in the sands, the wind blowing, raised the sand, and overwhelmed them. So, I doubt not," said he, "the like sall become of this malicious foole, whill as he intendeth not onlie to stoppe the breath of God's mouth, but also to be avenged upon it, becaus it hath stricken him, so that he is blasted therewith and dryed up. But, alas! my brethrein," said he, "if yee would doe that which I thinke yee might and sould doe at this tyme, he would feele better his miserable follie, and be wonne againe to Christ, if he be of the number of the elect; that is, if yee will ratifie and approve the sentence of excommunicatioun, most justlie and orderlie pronounced against that vennemous enemie of Christ's kingdome, as I am assured it is ratified in the heavens, as may appeare cleerelie by the effects, no lesse than in the dayes of Ambrose, when Satan sensiblie possessed suche as were delivered to him by excommunicatioun. If yee doe not, I may foretell you, by a seene experience not long since passed before, a thing to come, if God in his mercie for his Christ's sake stay it not; that yee will find and feele yitt more greevouslie the reserved poysoun of that Psyllus, in brangling the discipline of the kirk, and punishing of us for our undutifull negligence."

Another point of doctrine he had, tuiching the duetie of the flockes toward their pastors and watchemen; to witt, that they ought to provide for them all things needfull and confortable for this life, and to give them that honour which apperteaneth to the ambassaders of Christ: that he who will not honour God in his ministrie with the best of his substance, he is but an unthankefull theefe, and not a lawfull possessour. It is no excuse to say, that the burthein lyeth on them who exact the tythes rigourouslie; for if men pitie their owne soules, they will be no lesse carefull for it than for the bodie. For howbeit men were never so sore spoiled, they will not want necessarie food and rayment so long as anie thing remaineth, or can gett anie thing by begging or borrowing, and will seeke, by all meanes, a remeed of the oppressioun and wrong. And if this doctrine sounded ofter, a number would be moved to seeke pastors on their own charges; and that for his owne part, he ever found the fault more in the paines of the pastor nor in the purses of the people, if they had it: not that he would have the sacriligious to passe free and bruike the tithes, but wished the flockes and pastors to joyne together, cry and crave of king, counsell, and estates, als earnestlie as gentlemen are in things tuiching their heritage and honours; and then, no doubt, they sall speed. As for the kirk's duetie in this cace, it was to leave nothing undone which Christ required of them.

"Are we," said he, "the true kirk? are we the lawfull ministrie? have we the authoritie and power of Christ's sceptre? have we that fire that devoureth the adversarie? that hammer that breaketh the rockes? have we that sharpe two-edged sword? or is it sharpe onlie against the poore and meaner sort, and not potent in God for overthrowing of holds, for working vengeance upon whole natiouns, chastising of people, binding of kings in chains, and the most honourable princes in fetters of yron? Is there exceptioun of persons or sinnes before the judgement-seate of Christ? Or sall his sword and censure strike upon the poore adulterer, and obstinat fornicator, and ly in the skabert rousting, when it sould strike upon the sacriligious? Nay, nay, my deere brethrein. First, I would the king's

Majestie sould be travelled with for his favour and concurrence, who is neere als farre hurt in this mater as the kirk is. We have his will, we have his promise; manifold exemples and reasouns to lay before him. We, and the greatest and best number of our flockes, have beene, are, and must be, his best subjects, his strenth, his honour. A good minister (I speeke not arrogantlie, but according to the truthe) may doe him more good service in an houre, nor manie of the sacrilegious courtiours in a yeere. Nixt, I would wishe, that from this present Assemblie were directed to the cheefe sacrilegious persons in the realme, chosin men of gravitie and authoritie, full of the Holie Ghost, to instruct, admonish, and charge them, in the name of God, and of his Sonne Christ Jesus, to amend without delay. Last, that a frequent and honourable Assemblie were keeped, assisted by the king's owne presence in persoun, solemnelie sanctified with the exercise of humiliatioun and fasting, with a good number of gentlemen and burgesses directed in commissioun from everie parish and burgh; that the cheefe of these sacrilegious persons be called before them, and asked if they were true members of Christ's kirk or not? If they were, that then they sould desire to testifie the same, by hearkening to the voice of Christ and his kirk: if not, lett it be shewed unto them that Christ commandeth to hold them as publicans and ethnicks. As to their number, it is nothing in respect of the multitude of poore soules that want their spirituall food, of subjects oppressed in their tithes, and manie good men wishing to see reformatioun. As for their fighting for religioun, so did sacrilegious Achan for the inheritance of Canaan, Saul for Israel, Joab and the sonnes of Zeruiah for the kingdom of David. But they were not approved of God. If they refuse that which we crave, they declare evidentlie they fought never for God nor religioun, but for the kirk geare, to disturbe the possessors therof, that they might invade the same: they fought never against the Papists, but against the titulars of the tithes and rents of the kirk: they sett not themselves to hold out Jesuits, but the souldiours which clamed right to Christ's coate: they would not roote out the Seminarie preests, but the seed of the kirk,

good learning, and all religioun. So that if God, if Christ, if religioun, if ministrie, sall be reclamers of the tithes and kirk's geare again, they sall at an instant become to them Satan, Antichrist, Papistrie, and Jesuits. To conclude," sayeth he, "lett us leave the event to God: lett us not say, with the sluggard, 'There is a lyoun in the way,' nor for feare of stormie weather leave off to sow and sheare.[1] It was God, even our God, who almost without all meanes beganne the worke mervelouslie, and no lesse mervelouslie hath continued it, in despite of all contrarie craft and power: the same God, in the same sort, will crowne and end it, if yee will be couragious; if yee will seeke after him, and seeke to procure the weale of the soules concredited unto you."

This doctrine and advice was approved of all; but the politick and worldlie wise thought it not expedient to putt it in practise at this tyme: as for the bishop, that he would fold of will, as he had alreadie begunne to fold; but if he were putt at, the king would take his part.

THE MODERATOR AND HIS ASSESSORS.

The exhortatioun being ended, Mr Patrik Galloway was chosin Moderator. Mr Robert Bruce, Mr Andrew Melvill, Mr David Lindsey, Mr Robert Pont, David Fergusone, Mr Peter Blekburne, Mr Neill Campbell, Mr William Rind, Mr Johne Davidsone, Mrs Nicoll Dagleish, Andrew Hay, James Hammilton, Robert Rollock, Peter Primerose, Johne Inneis, James Nicolsone, William Glasse, were appointed assessors to the moderator, to advise him what things were needfull to be propouned and treatted in the Assemblie.

In the secund sessioun, the commissioners of countreis were enquired, what they had done concerning the executioun of the last act made against Papists, Jesuits, Seminarie preests, excommunicats and their interteaners, mercats, and other profanatioun of the

[1] Reap.

Sabboth day, non-residents, and the rest of the heeds committed to the presbytereis and commissioners.

The excommunicatioun of William Erle of Angus, for the informalitie therof, was reduced, and Johne Liverence, for his rashnesse, ordeanned to confesse his offence to God and the said erle, in presence of the congregatioun upon a Sabboth day, at the kirk where the sentence was pronounced; and that some other minister intimat the reductioun of the processe. Yitt becaus there was just caus of offence in the said lord, the Assemblie desired him to have a care that the Sabboth day be not violated within his bounds, by faires or mercats, labouring, or cariage, and that his vassalls compell not their tennents to carie loads on the Lord's day; and that they grant to their tennents some weeke day to sheare and lead their corns. The erle promised, at the rising of the sessioun, to hold a court in Dowglasse.

THE KING'S SPEECHES IN THE ASSEMBLIE.

Sessioun 8.

In presence of the king's Majestie, the moderator propouned to his Hienesse three articles, which the Assemblie craved to be granted, viz., the ratificatioun of the liberteis of the kirk, the purging of the land of Jesuits, Seminarie preests, abusers of the sacraments, and provisioun of a sufficient stipend to everie kirk. The king answered, that in all parliaments, the liberteis of the kirk were first ratified; that they knew his good will to purge the land of Papists, Jesuits, &c. As for provisioun to kirks, he said moe had interesse nor he, and therefore desired that Mr Robert Bruce, Mr David Lindsey, Mr Robert Pont, and the moderator, might be sent to the counsell to conferre with them theranent. His answeres did little content the Assemblie, yitt were they appointed to present some few petitiouns to the king and his counsell. The king willed the ministers to purge themselves, and to be unpartiall in their owne caus. It was his duetie, said he, als weill to see them

reformed, as it was theirs to urge him and the nobilitie to reforme themselves. In no point was he so earnest as in this. In end, to please the Assemblie, he fell furth in praising God, that he was borne in suche a tyme as the tyme of the light of the Gospell, to suche a place as to be king in suche a kirk, the sincerest kirk in the world. "The kirk of Geneva," said he, "keepeth Pasche and Yuile; what have they for them? they have no institutioun. As for our nighbour kirk in England, it is an evill said masse in English, wanting nothing but the liftings.[1] I charge you, my good people, ministers, doctors, elders, nobles, gentlemen, and barons, to stand to your puritie, and to exhort the people to doe the same; and I, forsuith, so long as I bruike my life and crowne, sall mainteane the same against all deidlie," &c. The Assemblie so rejoiced, that there was nothing but loud praising of God, and praying for the king for a quarter of an houre.

HUMBLE PETITIONS OF THE GENERALL ASSEMBLIE CRAVED AT HIS MAJESTIE AND HONORABLE COUNSELL.

"First, In respect that manie things have beene promised before, and no executioun following therupon, that now performance may be therof, and the speciall declaration of the meane and performance therof.

"*Item*, A ratificatioun is craved of all lawes that have beene made for the weale of the true kirk, with a new act of parliament, speciallie establishing the kirk's jurisdictioun, their generall and synodall assembleis, presbytereis, and discipline; and all acts made contrare to the libertie and jurisdictioun of the said kirk, preceeding the date heerof, to be abolished; and whill a parliament may be had, the said act to be concluded in counsell, or conventioun of estats, if anie sall happin in the meane tyme to be holdin.

"The purging of the kirk and countrie of all Jesuits, Papists, Seminarie preests, and excommunicats; a law for repressing and punishing of the abusers of the holie sacraments; a law and meane,

[1] Raising the host.

whereby ministers may be possessed in their gleebs and manses, and peaceablie injoy them, and the controveenners may be repressed and punished.

"An order for them that were at the Bridge of Dee; a law and ordinance for breaking of the Sabboth; a law and ordinance against them that trouble and hurt ministers going to their kirks, and executing their offices; a strait law for repressing of the great bloodshed and murther in the countrie, and all the quarters therof, and that the land may be purged of the same.

"That all kirks within this countrie be sufficientlie planted with ministers, teachers, and other necessar office-bearers, and sufficient stipends appointed to them for serving of their cures, out of the best and readiest of the tithes, and other rents mortified to the use of the kirk; and the whole rest to be imployed upon colledges, upbringing of the youth, and sustentatioun of the poore, the fabrick of the kirk, and other commoun effaires therof."

ACTS.

Sessioun 10.

Forasmuche as it is certane, that the Word of God can not be keeped in the owne sinceritie, without the holie discipline be had in observatioun, it is therefore by commoun consent of the whole brethrein and commissiouners present concluded, that whosoever have borne office in the ministrie of the kirk within this realme, or that presentlie beare, or heerafter sall beare office therin, sall be charged by everie particular presbyterie where their residence is, to subscribe the heeds of discipline of the kirk of this realme, at lenth sett doun and allowed by act of the whole Assemblie, in the Booke of Policie, which is registred in the register of the kirk; and namelie, in the controverted heeds, by the enemeis of the discipline of the reformed kirk of this realme, betuixt and the nixt synodall assemblie of the provinces, under the paine of excommunicatioun, to be executed against the non-subscribers, and the presbytereis

which sall be found remisse or negligent heerin to reccave publict rebooke of the whole Assemblie. And to the effect the said discipline may be knowne as it ought to be to the whole brethrein, it is ordeanned, that the moderator of eache presbyterie sall receave from the Clerk of the Assemblie a copie of the said booke, under his subscriptioun, upon the expences of the presbyterie, betuixt and the first day of September nixtocum, under the paine to be opinlie accused in face of the whole Assemblie.

Sessioun 12.

Tuiching the examinatioun before the communioun, it is thought meete, for the commoun profite of the whole people, that an uniforme order be keeped in examinatioun; and that a short forme of examinatioun be sett doun by their brethrein, Mrs Johne Craig, Robert Pont, Thomas Buchanan, Andrew Melvill, to be presented to the nixt Assemblie.

Sessioun 13.

Forasmuche as it being with commoun consent of the whole brethrein of the Assemblie resolved, that where the presbytereis are weill and orderlie constituted, the yeerelie electioun and nominatioun of ministers over countreis hitherto customablie observed in the Assemblie is not necessar nor expedient, the samine presbytereis having established in them owne selves a sufficient power to send out of their owne number instructed with their commissioun *pro re nata*, to take order with suche things as fall out in their bounds: Therefore, it is thought meet and universallie concluded, that the said yeerelie electioun of commissiouners over countreis, where presbytereis are weill and sufficientlie constituted, sall cease in tyme comming. And where of before, the saids commissioners bare the charge, to enroll the ministers and their stipends at the platt, receave presentatiouns, and give collation therupon, designe manses and gleebs; that the said weill constituted presbytereis, eache one of them, sall yeerelie (ay and whill the necessitie therof crave) elect and choose out of their owne number a brother, in

name of the whole presbyterie, for enrolling and expeditioun of their stipend at the platt, authorized and instructed by them, with commissioun subscribed by the moderator and clerk of the presbyterie to be shewed and produced to the modifiers; and the samine commissioner to designe manses and gleebs within the bounds of the said presbyterie, and in all things concerning the executioun of his commissioun, to be comptable and subject to the judgement and censure of the presbyterie whom fra he receaved the same; and that all presentations be directed, in tyme comming, to the presbytereis where the benefice lyeth. Alwise, in admissioun and deprivatioun of ministers in Buchan, Aberdeen, Garioch, and Marr, that Aberdeen and Buchan proceed with mutuall advice in admissioun and deprivatioun of ministers, and likewise Marr and Garioch with mutuall advice of others; and incace of variance, the mater to be committed to the Assemblie.

Sindrie of the ministers regrated, in the fyft sessioun, that the Sabboth day was profained by going of mylnes, salt-panns, shearing and leading of corne, cariage of victuall to burrow touns. The Assemblie declareth suche occupatiouns to be unlawfull, and against the law of God and acts of Parliament; and ordeaneth the violaters to be punished, conforme to the ordinance made before, and the burrow touns to be discharged to receave in loads and cariages upon that day; and the presbytereis to travell with the gentlemen within their bounds, to grant to their tennents libertie, in the worke dayes, to lead and sheare their owne cornes. All the brethrein who were present were commanded to give up the names of suche as might best hinder the holding of mercats within their bounds upon the Lord's day, that his Majestie may command them to doe their duetie in that point; otherwise, in cace of refusall, to call them before them.

The Bailiffes of Edinburgh compleaned, in the 15th sessioun, directed from their counsell, and reported, that it was the intention of their counsell to doe what in them lay for keeping the Sabboth unviolated, by going of mylnes, receaving of loads within their ports, selling of flowers, &c., notwithstanding of whatsoever diffi-

cultie, that the rest of the burghes have no occasion to follow evill exemple in them. My Lord Somervell being present in the fyft sessioun, alledged the priviledge of his infeftment for holding the mercat of Carnweth on the Lord's day; yitt consented that nather fare nor mercat sould be keeped there. If he failed, the Assemblie commanded the presbyterie to proceed against him according to the acts.

QUESTIONS.

Becaus great slander lyeth upon the kirk, through manifold murthers, notorious adultereis and incests, and the parteis being brought under processe, often tymes elude the kirk, and shift from place to place, wherethrough the processe can not be brought to a finall sentence, during all the which tyme, the slanders continue and increasse: *Quæritur*, Whether parteis falling into suche horrible and odious crymes may summarlie, upon the notorietie of the said cryme, be excommunicated or not? It is answered to the said question, *affirmativè*.

COMMISSION.

Sessioun 17.

Forasmuche as the dangerous insurrectioun made at the Bridge of Dee, being considered to have notoriouslie imported speciall prejudice to the true religioun publictlie professed and established by the mercie of God within this realme, notthelesse the speciall authors and interprisers of the same, remaining under the said slander, have never meaned to purge themselves therof, by confessioun of their offence, and satisfeing of the Kirk of God: Therefore, the Generall Assemblie, for this caus presentlie conveenned, have givin their full power and commissioun to the brethrein of the Presbyterie of Edinburgh, with the concurrence of one of the king's Majestie's ministers, viz., Mr Robert Hepburne, William Sandersone,

Mr James Carmichaell, Mr Thomas Makgie, Mr George Ramsay, Mr Adam Johnstoun, Mr James Law, Mr Johne Spotswod, to summoun before them in Edinburgh the erles, lords, barons, freeholders, that were at the said insurrectioun, and speciall traffiquers and counsellers to the said noblemen; and to charge them to acknowledge and confesse their offence against the true Kirk of God and his religioun, and make satisfactioun for the slander committed by them therethrough, under the paine of excommunicatioun; and that betuixt and the first day of Februarie nixtocum, referring to their discretiouns the particular dyets, and order of processe to be keeped therin; providing alwise, that this commissioun be executed betuixt and the said day: Requiring their brother, Mr Johne Craig, to remember this mater to the said commissioners, as he would eshew the blame of the brethrein, in cace of negligence.

Tuiching the provisioun of the generall visiters directed to the north and south parts, as als commissioners to be nominated by their presbytereis, the brethrein nominated to the platt by the king's Majestie are ordeanned to travell with the modifiers, that the commissioners of the kirk may be provided, and assignatiouns givin for that effect.

BOTHWELL, MACKONEILL, &C., WARDED.

Upon the 5th and 7th of August, the king tooke sovertie of all the gentlemen of the borders, to suffer none of their clan or dependers to committ thift, under paine of repairing of the dammage, and to bring in malefactors to underly triell. Bothwell was wairded becaus he refused, but not long deteaned in waird. Some also of the surname of Scot were wairded in the Castell of Edinburgh, their cheefe, the Laird of Balcleuche, being in France. Makconeill and Makelaine were wairded in the Castell of Edinburgh, for manie slaughters committed by them.

THE KING FAVOURABLE TO JESUITS.

Upon Tuisday, the 15th of September, the Presbyterie of Edinburgh was advertised by a letter from the Presbyterie of Kirkcaldie, that Sir Robert Melvill and the magistrats of Bruntisland refused to apprehend Mr James Gordoun, Jesuit, being desired by the minister, alledging the king had givin him a warrant to keepe his residence there. Mr Craig, at the desire of the presbyterie, advertised the king. The king promised to take order with one or two of the meanest that resorted to him; but no word of the greater sort, nor of himself. The king favoureth the Jesuit, and in the meane tyme, is offended with Robert Waldegrave, printer, for printing Mr Johne Davidsone's answere to Doctor Bancroft's calumneis.

MONSIEUR CASTOLL HIS LETTER, TRANSLATED OUT OF FRENCHE, DATED THE SECUND OF OCTOBER, AND SENT TO THE PRESBYTERIE OF EDINBURGH.

"Sire, and honourable Fathers and Brethrein,—The zeale and affectioun which the toun and kirk of Edinburgh hath shewed in the support of the toun and kirk of Geneva is to us notablie knowne. I trust the Lord sall remember this good deid in the latter day, and sall putt the same in register, to witt, the almous done to the poore and indigent people; and sall esteeme no lesse heerof than they were done to his owne persoun. His corporall presence is no more with us; but He hath left us of his members to serve us as an altar, wheron we lay and present most agreeable sacrifices unto him. I will not faine to you, that, conforme to your small power and estate, your zeale and charitie at this tyme hath excelled and passed the charitie of sindrie natiouns who, notwithstanding, have greater abundance of worldlie substance nor yee; sua that, by my judgement, I see you in this worke beare the prize above them. So great is the wisdom of God,

that recompenceth his owne, in want of externall things, with other singular vertues and graces. I beseeke the Lord, that this spring of good will which is in you dry not, but rather that it continue and augment, to the succour of the Lord's faithfull; that in helping with almous, (which is more profite nor money above the banke,) and doing your other effaires with discretioun, the remembrance of your good deeds and justice may last for ever.

"Yee sall witt, therefore, that I receaved a letter in your names, from Johne Edgar, right ample, dated the 15th of September, whereby we were assured of your diligence; with another letter, and with the samine I receaved two packets from the hands of Alexander Lindsey, conteaning two hundreth and fiftie crowns; and also a thrid letter, and with the same, from James Rennold, an hundreth and fourtie crowns, wherof twelve emperours' crowns, threescore ten pistolets, with fourtie-two angels and a halfe. Of the which summes, I have delivered acquittances to everie man, conforme, as I receaved from him, as stipulant, in place of Monsieur Leiges, agent for the town of Geneva. And now, by this present, I acknowledge yitt againe the recept of the foresaids summes, and that I have sent them over, with promise to obteane of the town and kirk of Geneva quittances and letters of thankes for your good compassioun, unto your whole toun and sessioun. And becaus I understand by the said last letter of the said Johne Edgar, that there is some esperance of some farther contributioun among some other presbytereis of your land, who partlie know not the great extremitie and need which our poore brethrein are in; assailled without with a mightie and cruell enemie, consumed within with a number of orphelings and wedowes, minassed with famine, destitut of support of their nighbours, and without succour almost of all men in this world; to whom nothing restest except onlie courage, and the esperance they have in the providence of God; it will please you, therefore, to lett thir writtings be communicated to the rest of the presbytereis, to the effect they may be exhorted to follow your exemple. Yee and they both may thinke that almous or assistance was never better bestowed than it will be; and that

manie good soules will requeist the Lord earnestlie for your weale and preservatioun, seing the benefit will redound to the weelefare of sindrie other kirks. For the which causes, I requeist you most heartfullie to communicat this mater unto them, with a copie of the newes that I have sent to Johne Edgar, which is the last that I have receaved from Geneva; praying all not to suffer themselves to be abused with false rumors and bruites, which are sown by their enemeis, expresslie to hinder the charitie of good folkes, and to stay the worke of God's sancts; and the thing they would doe, lett it be with a joyfull heart, and that in tyme, that the samine may be sent unto me so soone as it is gottin, to witt, their collectioun, to the intent that they who are in great mister and indigence may be in tyme conforted.

"And this is the summe of the whole I can write to you at this present, praying you to take this my urgent requeist in good part. Our banished people which are heere in England have helped to this subventioun with twelve hundreth crownes, and somewhat better. I would this might be eneugh, with it which is writtin in other compts. I would wishe to God that I had caus of another argument to write unto you. Neverthelesse, the Lord be praised, who will putt us to some tryell to assay our obedience. Praised be the Lord, who will the bowells of his sancts receave consolatioun by this moyen, which hath great efficacie with it. The Lord keep you all, Sirs, fathers, and brethrein, and conserve all your kirks.

"At Londoun, the 2d of October, 1590.

"Your obedient servant,

"JOHNE CASTOLL,

"*Minister of the Frenche Kirk at Londoun, substituted in the place of Monsieur Laxis, Agent for the Kirk and Toun of Geneva.*"

J. GIBSONE BROUGHT TO SOME CONFESSION.

James Gibsone being denounced rebell, could by no meanes gett the registratioun of his horning delayed, till he gott the chanceller's

answere tuiching the king's minde. He was apprehended upon the 21st of November, betweene Elphinstoun and his owne hous in Pencaitland, by William Hume, Captan of the Guard, and was brought to the Cannogate. Mr Robert Bruce, the day following, in his sermon said, that Jesuits and excommunicated Papists were winked at, but the king was incensed against a man, nather enemie to God nor the king. The king aggredged his fault that day after noone to Mr Robert Bruce, Mr Robert Rollock, Mr Walter Balcalquall, and Mr James Balfoure, who came down to the palace with him, and urged the act of the Assemblie to be putt in execution. Johne Duncansone said, the people were offended that he was so hardlie handled, and Jesuits lett passe free. The king answered, No Jesuit had wronged his persoun so muche as he had done. The ministers of Edinburgh being conveened upon the 26th of November, the right tenour of James Gibson's words was exhibited to them: viz., It was not now Ladie Jesabell, Captan James, and William Stuart, that were persecuters, but the king himself. Wherefore, if the king continued in that course, he feared, that as Jeroboam and his posteritie did end their race, so the king sould conclude his race. They all thought these words might be defended. Yitt, upon the 17th of December, James Gibsone gave in a submissioun in write to the king. The king was weill quicke with him in words, and the other much dejected; and, therefore, he willed an ampler submissioun. Upon Tuisday, the 22d of December, he compeered before the king and the counsell, and confessed his rashenesse at subscribing at Linlithquo before the king and counsell, otherwise than he spake in pulpitt; and so was sett at libertie.

In the moneths of November and December, manie witches were taikin: Richard Grahame, Johne Sibbet, *alias* Cunninghame, Annie Sampsone, middewife, Jonet Duncan in Edinburgh, Ewfame Makcalzeane, daughter to umquhile Mr Thomas Makalzean, Barbara Naper, spous to Archibald Dowglas of Pergill, Jonet Drummond, a Hieland wife, Katherine Wallace. They conspired the overthrow of the king and queen's fleete, at their returne out of Denmarke, by raising of stormes upon the seas. Sindrie of the

witches confessed they had sindrie times companie with the devill, at the kirk of Northberwick, where he appeared to them in the likenesse of a man with a redde cappe, and a rumpe at his taill, [and] made a harangue in maner of a sermoun to them; his text, "Manie goe to the mercat, but all buy not." He found fault with sindrie, that had not done their part in ill. These that had beene bussie in their craft, he said were his beloved, and promised they sould want nothing they needed. Playing to them upon a trumpe,[1] he said, "Cummer, goe yee before; cummer, goe yee!" and so they daunced. When they had done, he caused everie one, to the number of threescore, kisse his buttocks. Johne Gordoun, *alias* called Graymeale, stood behind the doore, to eshew, yitt it behoved him also to kisse at last. John Feane, schoolesmaister of Saltprestoun, confessed he was clerk to their assembleis; yitt at his executioun he confessed onlie he had abused the people that way, and had committed adulterie with two and thrittie weomen, but denied witchecraft. Of Richard Grahame, Ewfame Makcalzeane, and Barbara Naper, we will heare more heerafter.

M.D.XCI.

A TUMULT AT THE KING'S BACKE.

Upon the seventh of Januar, the king comming doun the street of Edinburgh from the Tolbuith, the Duke of Lennox, accompanied with the Lord Hume, following a little space behind, pulled out their swords, and invaded the Laird of Logie. The king fled into a closse-head, and incontinent retired to a skinner's booth, where, it is said, he fylled his breeches for feare. The querrell was, that Logie, a varlett of the king's chamber, would not ishe at the duke's command, being chamberlane, till he was putt out by force, wher-

[1] Jew's Harp.

upon he upbraided the duke. The duke and Lord Hume were discharged the court, but repaired again to it soone after.

BOTHWELL'S RYOTT.

Upon the 13th of Januar, the Laird of Craigmillar intended divorcement before the Commissars of Edinburgh against his wife, for adulterie committed with the Laird of Nidrie. The witnesses being sworne, and to be examined, one of them, who could depone most in that mater, was taikin by force out of the Tolbuith by the Lord Bothwell, the king sitting in the meane tyme with the Lords of the Sessioun in the Tolbuith, and was taikin captive to Crichtoun, where Bothwell threatned him with the gallous. Manie enormiteis were committed, as if there had beene no king in Israell; so contemptible was the king's authoritie, and that through his owne default, wanting due care and courage to minister justice. Sindrie scoffing speeches he had at these tymes, which manifested what religioun was in his heart. Hearing the advocats reasoun before the lords, he burst furth in these words: "Your reasouning is like this which the ministers use: There can be no preaching without ministers; ministers cannot be had without livings; livings can not be had without a platt: *Ergo*, the Gospell can not be preached without a platt." Another tyme, he said that Calvin's Institutions was a childish worke. And another tyme, speeking of religiouse and devoute weomen in Edinburgh, he called them tauntinglie, "The holie sisters."

Upon the 19th of Januar, Mackclaine and Mackoneill were brought out of the Castell to the Tolbuith of Edinburgh, by the citicens, in feare of warre, to underly the law for raising of fire, murther, and other oppressiouns. They came in the king's will, and were sent backe again to the Castell, but were released upon the secund of Aprile, upon cautioun to keepe goode order in tyme to come, and to remaine in Edinburgh till they payed everie one of them compleitlie twentie thowsand punds.

BANCROFT'S WRITTS TO MR P. ADAMSONE INTERCEPTED.

Doctor Bancroft his letters to Mr Patrik Adamsone, some tyme usurping Bishop of St Andrewes, were intercepted about this tyme. They were directed on the backe as to Mr Bowes, the English ambassader. In his letter, he letteth Mr Patrik understand that he had read his bookes, the one upon the Revelatioun, directed to the Chanceller of England, the other upon Job, to the queen's Majestie. He advised him to give her more honourable styles, and to praise the Church of England above anie other. He mervelled why he resorted not to England, as he was looked for, assuring him he would be verie weill accepted by my Lord of Canterburie's Grace, and weill rewairded if he came.

MR P. ADAMSONE ABSOLVED FROM THE SENTENCE OF EXCOMMUNICATION.

The king was so vexed with complaints upon Mr Patrik Adamsone, lying registred at the horne, and so ashamed of him, now infamous, that he cast him off, dispouned his lyferent to the Duke of Lennox. The miserable bishop fell in extreme povertie, and with all into a heavie disease of bodie and minde. His necessitie was so great that he was forced to crave helpe of Mr Andrew Melvill, and confesse his offences. Mr Andrew visited him, and gave him support. At last, he besought Mr Andrew to gett him a collectioun of the brethrein of the toun, promising to present himself to the pulpit, and make publict confessioun. But he had never the grace to present himself to the pulpit again. He sent to the Presbyterie of St Andrewes, and sought to be absolved from the sentence of excommunicatioun. The brethrein, doubting whether if this requeist proceeded from trouble of mynde, or a shift onlie to gett some support, they sent Mr James Melvill and Mr Andrew Moncreiff to try him. Als soone as he saw Mr James, he plucked off his cappe, and cryed, "Forgive me, forgive me, for God's sake,

Mr James; for I have manie wise offended you!" Mr James forgave him, but exhorted him to unfained repentance. When he was asked if he acknowledged the lawfullnesse and validitie of the sentence of excommunicatioun pronounced against him, he interrupted Mr James, and cryed pitifullie and oftin, "Loose me, for Christ's sake!" At their report, the brethrein, with prayer and thanksgiving, absolved him.

MR P. ADAMSOUN'S RECANTATIOUN.

The Provinciall Assemblie conveenned at St Andrewes the sixt of Aprile, 1591. Mr Johne Caldcleuche presented, in Mr Patrik Adamson's name, certan articles writtin in Latine, conteaning his recantatioun, which being read, the Assemblie directed the Rector of the Universitie, Mr Andrew Melvill, and Mr Robert Wilkie, David Fergusone, and Mr Nicoll Dagleish, to him, to crave, in name of the Assemblie, a cleerer and ampler recantatioun in the vulgar tongue. The bishop sent it subscribed with his owne hand, the tenour wherof heere followeth:

THE RECANTATIOUN OF PATRIK, BISHOP OF ST ANDREWES, DIRECTED TO THE SYNODALL CONVEENED AT ST ANDREWES, 8 APRILIS, 1591.

"BRETHREIN,—Understanding the proceedings of the Assemblie in my contrare, and being now withholdin by sicknesse from presenting myself before you, that I might give confessioun of that doctrine, wherin I hope God sall call me, and that at his pleasure I might depart in an unitie of Christian faith, I thought good by writt to utter the same unto your wisdoms, and to crave your godlie wisdoms' assistance, not for the restitutioun of anie worldlie pompe or preeminence, which I little respect, but to remove from me the slanders which are raised in this countrie concerning the variance of doctrine, speciallie on my part, wherin I protest before

God, that I have onlie a single respect to his glorie, and by his grace I sall abide heerin unto my life's end.

"First, I confesse the true doctrine of Christian religioun to be publictlie taught and rightlie announced within this realme, and deteast all papistrie and superstitioun, lyke as, blessed be God, I have deteasted the same in my heart the space of 30 yeeres, since it pleased God to give me the knowledge of the truthe, wherin I have walked uprightlie, als weill heere as in other countreis, as the Lord beareth me record; untill these last dayes, wherin, partlie for ambitioun and vaine glorie, to be preferred before my brethrein, and partlie for covetousnesse, I have possessed the pelfe of the kirk. I did undertake this office of archbishoprick, wherewith justlie the sincerest professours of the Word have found fault, and have condemned the same, as impertinent to the office of a sincere pastor of God's Word. And albeit men would colour the same, and the imperfectiouns therof, by divers cloakes, yitt the samine can not be concealed from the spirituall eyes of the faithfull, nather yitt can the men of God, when they are putt to their conscience, dissemble the same.

"Nixt, I confesse that I was in an erroneous opinioun, that I beleeved the governement of the kirk to be like unto the kingdoms of the earth; plaine contrarie to the commandement of our Maister Christ; and the monarchie whereby the kirk is governed, not onlie to be in the person of our Saviour Christ, (as it is,) but in the ministers, who are nothing but vassalls under him, in an equalitie among themselves.

"Thridlie, That I maried the Erle of Huntlie, contrarie to the command of the kirk, without the confessioun of his faith, and professioun of the sincere doctrine of the Word, I repent and crave God pardon.

"That I travelled, both by reasoning and otherwise, to subject the kirk men to the king's ordinance in things that apperteane unto ecclesiasticall maters and things of conscience, I aske God mercie, wherupon great enormiteis have fallin furth in this countrie.

"That I beleeved, and so taught, the presbytereis to be a foolish

inventioun, and would have it so esteemed of all men, which is an ordinance of Christ, I crave God mercie.

"Farther, I submitt my self to the mercie of God, and judgement of the Assemblie, not measuring my offences by my owne self, nor infirmiteis of my owne ingyne, but by the good judgement of the kirk, to the which alwayes I subject my self; and beseeche you to make intercessioun to God for me, and to the king, that I may have some moyen to live, and consume the rest of this my wretched tyme, for winning of whose favours, (which foolishelie I thought thereby to obteane,) I committed all these errours.

"As where I am burthenned to be the setter furth of the booke called The King's Declaration, wherin the whole order of the kirk is condemned and traduced, I protest before God, that so I was commanded to write the same by the Chanceller for the tyme; but cheefelie by the Secretar, another great courteour, who himself penned the secund act of parliament, concerning the power and authoritie of judicator to be absolutelie in the king's power, and that it sould not be lawfull to anie subject to reclame from the same, under the penaltie of the act, which I suppose was treasoun.

"*Item*, Where it is alledged that I sould have condemned the doctrine announced and taught by the ministrie of Edinburgh, and to have allowed onlie concerning obedience to the prince, I confesse and protest before God, that I never understood, nor yitt knew anie thing but sinceritie and uprightnesse in the doctrine of the ministrie of Edinburgh, in that point nor in anie other.

"Farther, I confesse I was the author of the act, discharging the ministers' stipends that did not subscribe these acts of parliament, wherewith God hath justlie recompenced my self.

"As for anie violent course, it is knowne weill eneugh who was the author therof; and my part was tryed at the imprisonment of Mr Nicol Dagleish, Mr Patrik Melvill, Mr Thomas Jacke, and others.

"Moreover, I grant I was more bussie with some bishops of England, in prejudice of the discipline of our kirk, partlie when I was there, and partlie by our mutuall intelligence sensyne, than

became a good Christian, muche lesse a faithfull pastor. Nather is there anie thing that more ashameth me, than my oftin deceaving and abusing of the kirk heeretofore, by confessions, subscriptions, protestations, &c., which be farre from me now, and ever heerafter. Amen.

"Your brother in the Lord,

(*Sic subscribitur*) "Mr Patrik Adamsone."

"As where your wisdoms desire to have my owne opinioun concerning the booke of [the Declara]tioun of the King's Intentioun, the same is at more lenth declared in the confessioun which I [have made] alreadie, wherin I have condemned all the whole articles therin conteanned, lyke as by these presents I condemne them.

"As where yee require, what became of the bookes of the Assemblie? all which I had preserved whole unto the returning of the lords and ministrie out of England; and if I had not preserved them, my Lord of Arran intended to have made them be cast into the fire. And upon a certane day, in Falkland, before they were delivered to the king's Majestie, the Bishop of N., accompanied with Mr Henrie Hammilton, rent out some leaves, and destroyed suche things as made against our estat, and that not without my owne special allowance.

"As for the bookes which I have sett furth, I have sett furth nothing except a commentarie upon the First Epistle of Paul to Timothie, which I did direct to the king's Majestie, and keeped no exemplar beside me; and understands that Mr Johne Geddie gott the same from the king, and lent it to Mr Robert Hepburne.

"Farther, I wrote nothing, but onlie made mentioun in my preface upon the Apocalypse, that I sould write a booke called Psyllus, which (being prevented by disease) God would not suffer me to finish; and the little thing that was done I caused to destroy it. And, likewise, I have sett furth the Booke of Job, with the Apocalypse, and the Lamentations of Jeremie, all in verse, to be printed in England.

"As for my intention, I am not disposed, or in abilitie to write

anie thing at this tyme; and if it please God I were restored to my health, I would change my style, as Cajetanus did at the Councell of Trent.

"As for Sutlivius' booke against the forme and order of the Presbytereis, so farre am I from being partner in that worke, that as I know not the man, nor had never anie intelligence of the worke before it was done, so, if it please God to give me dayes, I will write in his contrare, to the maintenance of the contrarie confessioun.

"Prays the brethrein to be at unitie and peace with me, and in tokin of their forgivenesse, becaus health suffereth me not to goe over to the colledge, where yee are presentlie assembled, which I would gladelie doe, to aske God and you forgivenesse; that it would please you to repaire thither, that I may doe it heere.

"Moreover, I condemne, by this my subscription, whatsoever is conteaned in the Epistle Dedicatorie to the king's Majestie, before my booke on the Revelation, that is ather slanderous or offensive to the brethrein.

"Also, I promise to satisfie the brethrein of Edinburgh, or anie other kirk of this realme, according to good conscience, in whatsoever they find themselves justlie offended, and contrarie to the Word of God, in anie of my speeches, actiouns, or proceedings which have past from me.

"And concerning the Commentarie upon the First Epistle of Paul to Timothie, becaus there are diverse things therin conteaned offensive, and that tend to allow of the estate of bishops otherwise than God's Word can suffer, I condemne the same.

"The pages before writtin, dytted by me, Mr Patrik Adamsone, and writtin at my commandement, by my servant, Mr Samwell Cuninghame, and by his hand drawn in the blankes, I subscribe with my owne hand, as acknowledged by me in sinceritie of conscience, as in the presence of God, before these witnesses, directed to me from the Synodall Assemblie, becaus of my inabilitie to repaire toward them; James Monypennie, younger of Pitmillie, Andrew Wood of Strawithie, David Murey, portioner of Ardeit,

Mr David Russell, Mr William Murrey, minister at Dysert, Mr Robert Wilkie, David Fergusone, with others diverse.

(*Sic subscribitur*) "Mr P. Adamsone.

"David Fergusone, *witnesse.*
Mr Nicoll Dagleish.
James Monypennie of Pitmillie, *witnesse.*
Andrew Wood of Strawithie, *witnesse.*
Mr Robert Wilkie, *witnesse.*

"David Murrey, *with my hand witnesse.*
Mr David Russell.
Mr David Spence.
Mr Johne Caldcleugh.
Mr William Murrey."

MR PATRIK ADAMSON'S OWNE ANSWERE AND REFUTATION OF THE BOOKE FALSELIE CALLED THE KING'S DECLARATIOUN.

"I have interprised, of mere remorse of conscience, to write against a booke called A Declaratioun of the King's Majestie's Intentiouns, albeit it conteaneth little or nothing of the king's owne intentioun, but my owne, at the tyme of the writting therof; and the corrupt inventions of suche as for the tyme were about the king, and abused his minoritie. Of the which booke, and contents therof, compyled by me at the command of some cheefe courteours for the tyme, (as is before writtin,) I sall shortlie declare my opinioun, as the infirmitie of my sickenesse, and weakenesse of memorie will permitt.

"First, In the whole booke is nothing conteaned but assertiouns of lees, ascribing to the king's Majestie that wherof he was not culpable. For albeit as the tyme went, his Majestie could have suffered these things to have beene published in his realme, yitt his Majestie was never of that nature to have reviled anie man's person, or to upbraid anie man with calumneis, wherof there is a number conteaned in that thing.

"Secundlie, In the declaratioun of the secund act of Parliament, there is mentioun made of Mr Andrew Melvill, and his preachings

most wrongfullie condemned in speciall, as factious and seditious; albeit his Majestie hath had a livelie tryell of that man's fidelitie and truthe in all proceedings, from tyme to tyme. True it is he is earnest and zealous, who can abide no corruption, (which most unadvisedlie I attributed to a fierie and salt humour,) which his Majestie findeth by experience to be true. For he alloweth weill of him, and knoweth things that were alledged upon him to have beene false and contrived treachereis.

"There are conteaned in that secund act of Parliament diverse others false intentions, for to defame the ministrie, and to bring the kirk of God in hatred and invy with their prince and nobilitie; burthening and accusing the ministers falselie of seditioun, and other crimes wherof they were innocent. As likewise, it is writtin in the same act and declaratioun therof, that soverane and supreme power perteaneth to the king in maters ecclesiasticall, which is worthie to be condemned, and not to be conteaned among Christian acts, where the power of the Word is to be extolled above all the power of princes, and they to be brought under subjectioun to the same.

"The fourth Act condemned the Presbytereis, as a judgement not allowed by the king's law, which is a verie slender argument. For, as concerning the authoritie of the Presbyterie, we have the same expressed in the Gospell of St Matthew, cap. 18, where Christ commandeth to shew the kirk; which authoritie being commanded by Christ, and the acts of Parliament forbidding it, we sould rather obey God than man. And yitt the Presbyterie laiked never the king's authoritie for the allowance therof from the beginning, save onlie at that houre of darkenesse, when he was abused through evill companie. As for anie other thing that is conteaned in this act against anie order or proceeding of the Presbyterie, it is to be esteemed that nothing was done by the Presbyterie without wisdom, judgement, and discretioun; and so, hath receaved approbatioun again by the kirk; wherunto, also, I understand his Majestie hath given allowance, ratified and approved the same; which should be a sufficient reasoun to represse all men's curiositie, that ather have or yitt would find fault with the same.

"The last article conteaneth the establishing of a bishop, which hath no warrant of the Word of God, but is grounded upon the policie of the inventioun of man, wherupon the primacie of the Pope or Antichrist is rissin; which is worthie to be disallowed and forbiddin, becaus the number of the eldership that hath jurisdictioun and oversight, als weill of visitatioun as admissioun, will doe the same farre more authenticlie, godlie, and with greater zeale than a bishop, whose care commounlie is not upon God and his duetie, but upon the world, wherupon his cheefe attendance is. Consider how that office hath beene used these five hundreth yeeres bygane, with what crueltie and tyrannie it hath beene exercised, ye sall find it to have beene the cheefe caus that hath in everie countrie suppressed the Word of God; which sall be evident to all that read the historie of the kirk. As for my owne opinioun, it seemeth to be neerest the truth, and farthest from all kinde of ambitioun, that the brethrein in equall degree assemble themselves under their head, Christ; and there, everie man discharge his office carefullie as he is commanded. And becaus weakenesse of memorie and sickenesse suffereth me not at lenth to discourse upon these maters as I would, I must requeist the good reader to assure himself that I have writtin this without compulsioun or perswasioun of anie man; with an upright heart, and have delivered the same with a perfyte sinceritie of minde, so farre as infirmitie of fleshe and blood did suffer, as God sall judge me at the latter day; and that the same reader accompt of whatsoever things are omitted, that they are to be imputed to my imbecillitie of memorie, and the present sickenesse, and not to anie good will, which was (I protest) to have condemned everie point, yea, even to the false narratioun of the bankett, and all the rest conteaned in that little treatise, called The Declaratioun of the King's Majestie's Intention; as, I acknowledge, they deserve to be condemned by the censure and judgement of the kirk; to the which also I submitt myself, in whatsomever thing I have ather in word or writt attempted, ather in that foresaid Declaratioun or otherwise: By these presents, subscribed with my hand at St Andrews, the 12th of May, 1591. Before these witnesses, Mr David

Blacke, minister at St Andrewes, Mr Robert Wilkie, Principall of St Leonard's Colledge, Mr Johne Aitton of Enmath, Mr William Russell.

(*Sic subscribitur*) "PATRIK ADAMSONE.

"Mr David Blacke, *witnesse.*
George Ramsey.
Mr Johne Auchinfleck.
"William Learmonth.
Patrik Guthrie.
Charles Watsone, *Scribe.*"

"I, Mr Patrik Adamsone, declare that this confessioun and declaratioun befor writtin is my owne confessioun, givin with my heart, and subscribed with my hand, before the witnesses underwrittin, undersubscribing with me at my requeist and desire. At St Andrewes, the 10th day of June, 1591.

"MR P. ADAMSONE.

"David Carnegie of Colluthie, *witnesse.*
William Scot of Abbotshall, *witnesse.*
Alexander Bruce of Earleshall, *witnesse.*
Borthwick of Gordounshall.
Mr William Russel.
"William Learmonth.
Thomas Kingzo.
Mr Robert Wilkie.
Mr Andrew Muncreif.
Mr David Blacke.
Mr Andrew Hunter, Scribe of the Provinciall Assemblie."

Mr David Blacke, a man mightie in doctrine, and of singular fidelitie and diligence in the calling of the ministrie, came to Mr Patrik, when he was drawing neere to his end, and found him as he lived, senselesse. Commending him to the mercie of God, he departed with an heavie heart.

BOTHWELL WAIRDED.

Upon the 15th of Aprile, the Erle of Bothwell compeered before the king and Secreit Counsell, where he was accused of trea-

sonable consultatioun with witches against the king. He denied obstinatlie, but was committed to waird in the Castell of Edinburgh. His freinds, allya, servants, were charged upon the 22d of Aprile to passe out of Edinburgh, and not to come neere the king by the space of ten myles.

THE DUKE MARIETH JEANE RUTHVEN.

Upon the 19th of Aprile, the Duke of Lennox went over the water to Wester Weymes, and tooke out Ladie Jeane Ruthven, daughter to the Erle of Gowrie, wairded there at the king's command for his caus, wherat the king was highlie offended. He maried her the day following.

BARBARA NAPER AND EUFAME MAKCALZEAN THOLE AN ASSISE FOR WITCHCRAFT.

Upon Saturday, the 8th of May, Barbara Naper, sister to William Naper of Wright's Houses, was convicted by an assise for art, part, and consulting with witches. The nixt Tuisday she was condemned to be wirried till she were dead, and therafter to be burnt. When the staike was sett in the Castell Hill, with barrells, coales, heather, and powder, and the people were looking for present executioun, her freinds alledged she was with child, wherupon the executioun was delayed, till that alledgance was tryed. In the meane tyme, these that were upon her assise were summouned to underly the law upon Moonday, the seventh of June, for wilfull errour, in cleanging her in treasoun against the king's persoun. The jurie men came in the king's will.

Upon Moonday, the 9th of June, Eufame Makcalzeane was accused of witchcraft, and practise to take away the king's life. The procurators pleaded so subtillie for her, that the assise could not be resolved before the 13th of June. She was wirried and burnt to ashes upon the 25th of June. She tooke it on her conscience that she was innocent of all the crymes layed to her charge.

Some other witches were also wirried and burnt about this tyme; as Donald the Man, the gleed Hieland witche, etc. Barbara Naper was convicted onlie of consulting with Richard Graham and Agnes Sampsone. That she consulted for the death of the king or the Erle of Angus she denied. In respect of the Act of Parliament against naiked consultatioun was not putt in executioun, it was thought hard to execute her.

Upon Wednisday, the 19th of May, Mr Robert Bruce, Mr Robert Pont, Mr David Lindsey, Mr Walter Balcalquall, and Mr Johne Davidsone, went to the Palace of Halyrudhous, at the time when some traffiquing Papists were summouned to compeere before the counsell. The Bailliffe of Erroll was accused for recept of Papists, and distributing of forraine gold sent for waiging of souldiours against the estat of religioun. He made some excuses for the first, but denied the secund. The Maister of Angus was likewise accused, for distributing of forraine gold to levie souldiours, but he denied. The king affirmed, with great attestatiouns, that he was als truelie informed of it, as it was true he was speeking there. Fentrie likewise denied anie sort of traffique. Mr Bowes, English ambassader, was certified that Captan Robert Bruce was to come home with twentie-five thousand crownes, to be distributed to the same use.

MR ROBERT BRUCE'S ADMONITION TO THE KING.

Upon the Lord's day, the sixt of June, the king was at Mr Robert Bruce's sermoun in the Little Kirk. Mr Robert, in his sermoun upon Hebrews xii. 14, 15, moved the questioun, what could the great disobedience of this land meane now, whill the king was present; seing some reverence was borne to his shadow when he was absent? He answered, it meant an universall contempt of the subjects: therefore willed the king to call to God, before he ather eate or drinke, that the Lord would give him a resolutioun to execute justice upon malefactors, although it sould be with the hazard of his life. Which, if he would interprise courageouslie, the Lord would raise enew to assist him, and all these impediments

would vanish away, which now are cast in his way: "Otherwise," sayeth he, "yee will not be suffered to bruike your crowne alone, but everie man will have one." Mr Johne Davidsone said likewise, in the morning doctrine, that it appeared by the evill successe he had in executioun of justice, so farre, that he had not power over a carline witche, naming Barbara Naper; that he and his counsell were not assisted by God, and that, because he had not repented sufficientlie for his former sinnes. The day following, the king made an harangue to the Lords of the Sessioun for upright administratioun of justice.

CONFERENCE BETUIXT THE KING AND SOME MINISTERS.

Upon Tuisday, the 8th of June, the ministers of the Presbyterie of Edinburgh were called up to the Tolbuith whill the king was sitting among the Lords of the Sessioun. He findeth fault with them for particular reprooffes in pulpit, without premonitioun to the partie, and speciallie of himself, and that young boyes were permitted so to doe. He alledged Mr David Lindsay promised to him, in name of the ministers, another sort of behaviour; but seing the promise was not keeped, he would have a Generall Assemblie conveened in Edinburgh, for discussing of that and other points. They were commanded to returne with their answere after noone. They conveened in the Little Kirk, and agreed, First, that wairning sould be givin by missives to presbytereis, for changing the place of the Generall Assemblie, according to the power they had by an act. Nixt, that it sould be regraited to the king, that he sould have accused them before the Sessioun, seing they had there some unfreinds. Mr Robert Bruce, Mr Robert Pont, Mr David Lindsay, Mr Robert Rollock, Mr James Balfour, Mr Johne Davidsone, were directed to the king after noone, with these answeres. They find the king in the chanceller's loodging. He said, they ought to affirme nothing in pulpit in reproving vice, but when men were convicted by law, and that he would see himself exeemed heerafter. Mr Johne Davidsone said, "We were ordeaned to regrait unto your Majestie,

that, by your speeches in an uncouth place, yee sould have givin suche occasioun of contempt of our ministrie." The king said, he would avow what he spake before all the ministers of Scotland, and repeated his words, but not in so rough a maner. Mr Davidsone said, If anie particular minister had defamed his Majestie, lett him be called and accused. "I thinke I have," said the king, "soverane judgement in all things within this realme." "There is a judgement above yours," said Mr Robert Pont, "and that is God's, putt in the hand of the ministrie; for we sall judge the angels, sayeth the Apostle." "Yee understand not that place weill, Mr Robert," said the king, "howbeit yee be an old theologue." After Mr Robert had discoursed upon the words, the king concluded, that the judgement mentiouned in that place perteanned to everie sutor and tayleour, als weill as to the kirk, and insulted. Mr Robert replyed, "Christ sayeth, 'Yee sall sitt upon twelve thrones, and judge,' etc., which is cheefelie referred to the apostles, and consequentlie to ministers." Mr Robert Rollock said the like. "Be it so," said the king; and then had a long discourse tuiching the jurisdictioun of the kirk. None could charge him, as he alledged, with anie fault in his owne persoun, and, therefore, he would use the power of his office and authoritie over them, becaus they did manie things beside their duetie. Mr Johne Davidsone answered, their office consisted for the most part in words, but his in deids; lett see upon what malefactor in Scotland his sword did strike. The king threatned to correct him, as he had done others before. Mr Johne protested that he and the rest of the brethrein of the ministrie loved him; and so they parted on reasonable good termes.

THE KING'S LETTER IN FAVOURS OF MR UDALL.

Upon Fryday, the 11th of June, a letter was purchassed from the king, by my Lord Lindsay and Mr Robert Bruce, to the Queene of England, in favours of Mr Udall. The letter was penned by Mr George Young, as followeth:—

"Right Excellent, Right High, and Mightie Princesse, our deerest Sister and Cousine, in our heartiest maner we recommend us unto you. Hearing of the apprehensioun of Mr Udall, of whose good eruditioun and fruictfull travells in the kirk we heare a verie credible commend, howsoever that his diversitie from the bishops and others of your cleargie, in maters tuiching him in conscience, hath beene a meane, by their delatioun, to worke him your mislyking at this present: We cannot, (weyghing the duetie which we owe to suche as are afflicted for their conscience in that professioun,) but, by our most affectuous and earnest letter, interpone us at your hands, to anie harder usage of him for that caus; requeisting you most earnestlie, that for our caus and intercessioun, it may please you to lett him be releeved of his present strait, and whatsomever farther accusatioun or persute depending on that ground; respecting both his former merite in the furthsetting of the Evangell, the simplicitie of his conscience in this defence, which cannot weill be thirled by compulsioun, and the great slander which could not faill to fall out upon his further straiting for anie suche occasioun. Which, we assure us, your zeale to religioun, beside the expectatioun we have of your good will to pleasure us, will willinglie accord to our requeist; having suche prooffes, from tyme to tyme, of our like dispositioun to you in anie maters yee recommend unto us.

"And thus, Right Excellent, Right High, and Mightie Princesse, our deerest Sister and Cousine, we committ you to God's good protectioun.

"From Edinburgh, the 12th day of Junie, 1591."

BOTHWELL DENOUNCED REBELL.

Upon Tuisday, the 21st of June, Bothwell brak waird at two houres in the morning, and escaped out of the Castell of Edinburgh, with one of the captan's servants. Upon the 24th of Junie, it was concluded in counsell that he sould be putt to the horne, and denounced rebell, which was putt in executioun; and upon the last of June, the gentlemen within the shirefdome of Edinburgh,

Stirline, Linlithquo, Roxburgh, Selkirk, Peebles, Berwick, were charged to repaire to Edinburgh for the persute of Bothwell. The king went to the borders in the beginning of Julie to apprehend him, but returned the eight day without him. Bothwell caused rander to him all his houses and strenths.

THE * * GENERALL ASSEMBLIE.

The Generall Assemblie conveenned at Edinburgh in the New Kirk, the 2d of Julie. Exhortatioun being made by Mr Patrik Galloway, Moderator of the last Assemblie, Mr Nicoll Dagleish was chosin Moderator.

Sessioun 2.

Forasmuche as the alteratioun of the place of the Assemblie may move some brethrein to call in doubt the authoritie of this Assemblie, the Assemblie hath voted that there was a reasonable and weightie caus of the alteratioun therof; and that nothing is done in prejudice of their act, the speciall caus being the desire of his Majestie, who for sindrie reasons willed the Assemblie to be keeped heere at this tyme; wherof if anie brethrein would be satisfied farther, the brethrein on the conference sall resolve them, and that this is a lawfull Assemblie, notwithstanding the alteratioun foresaid.

Mr Johne Grahame of Halyairds, one of the Senators of the Colledge of Justice, was cited to compeere before the Assemblie, at the instance of Mr Patrik Simsone, for calling him a suborner. The Lord Provand, President, the Lord Culrosse, and Barnbarroch, directed from the Lords of the Sessioun, desired the Assemblie, in the elleventh sessioun, not to proceed to judge in that caus, seing it was civill, and proper to their cognitioun, till it tooke an end before them; and that they would doe nothing in derogatioun of the priviledges of the Colledge of Justice. It was answered, they would not prejudge in anie civill mater, nor derogat from their priviledges; but the purging the members of their owne bodie was a

mater ecclesiastick, wherin they might judge, without prejudice to anie civill judicatorie.

The Lord-Justice was demanded, in the 13th sessioun, if he acknowledged the judgement and jurisdictioun of the kirk in this caus, or not? He answered, that he acknowledged with reverence the judgement of the Assemblie in all causes apperteaning to them; but in this caus, which is civill, wherinto the lords are *primario judices*, before whom also it dependeth, they cannot be judges *primario*. He was removed and called in again; and it was declared to him, that the Assemblie findeth themselves judges *primario* in this caus, and would presentlie proceed therein; and required him to alledge or propone farther for his defense what he thought good. He tooke instruments of their *interloquiter*, and protested for remeed of law. Becaus the protestatioun was made verballie, and conteaned manie heeds, he was desired to give it in to the clerk in writt. This actioun did so drive time, that the Assemblie was forced to referre it to the Presbyterie of Edinburgh, and some commissioners joyned with them.

HUMBLE PETITIONS OF THE GENERALL ASSEMBLIE, CRAVED OF HIS MAJESTIE AND COUNSELL.

Petitions and Articles.

It is craved, that the acts of Parliament made for suppressioun of the enormiteis following may be putt to executioun: First, against Jesuits, suche as Mr James Gordoun, and recepters of them; and excommunicats, suche as the Laird of Fintrie and the Maistef of Angus; profaners of the sacraments, privat men and weomen givers therof; idolaters, pilgrimageis, papisticall magistrats, sayers and hearers of messe, givers of the sacrament according to the papisticall forme, and receavers of the same; committers of apostasie; publict mercats upon the Sabboth-day; violent invaders of ministers, by striking of them, or by shedding of their

blood; profaning of the Sabboth-day by Robin-Hood playes; murtherers and bloodshedders, which overflow the whole land.

Item, That the ministrie planted may be sufficientlie provided; and also, that ministers may be provided of sufficient living to the kirks unplanted. *Item*, The Act of Annexatioun to be dissolved; the new erectiouns and patronages be discharged; the Act of Dissolutioun of prelaceis and benefices consisting of moe kirks nor one be ratified and established; the Act of Februarie, without the exceptioun, the eight of Junie, eeked to it, may have place; that small benefices dispouned to ministers may be free of all taxations; that manses and gleebes be designed of kirk lands, abbeyes, frier lands, and whatsomever kirk lands; that manses and gleebes have their liberties of faggot, fewell, and pasturage; that commoun kirks be dispouned to ministers serving the cure; that everie kirk be provided of a sufficient pastor, and a competent living assigned to him for his service.

It was ordeanned also in the thrid sessioun, that an article sould be givin in to the king and counsell against Egyptians.

ACTS.

Sessioun 4.

Tuiching the subscriptioun of the Booke of Policie injoyned in the last Assemblie, in respect the greatest part of the presbytereis as yitt have not satisfied the ordinance of the Assemblie, the Assemblie hath ordeaned their former act to be observed and executed, betuixt and their nixt Assemblie; and the moderator of everie presbyterie to see to the execution therof, under the paine of fourtie shillings, to be imployed to the use of the poore, beside the publict rebook in the opin Assemblie.

Sessioun 6.

Forasmuche as the order observed of before, in giving power to certane of the brethrein, nominated thereto, to read an answere to

the bills givin in to the Generall Assemblie, appeareth to some brethrein to be inconvenient, and derogative to the Provinciall Assembleis, speciallie, in that farre as the maters that are thought doubtsome to them, and referred to the full Assemblie, are committed to the decisioun of foure or five brethrein: It is thought, therefore, expedient in tyme comming, that certane brethrein be chosin and named by the Assemblie, who sall have power onlie to take in the supplications and complaints, which are to come before the full number; read them, and consider if they come in pertinentlie before the Generall Assemblie; and, if they be impertinent, to give their answere on the backe of the bills: and where as they are pertinent, to bring them backe to the whole Assemblie, to be answered there, with their opinioun in word what they have considered therof, and where they thinke meet to be answered.

Sessioun 15.

Tuiching the Act of the Lords of the Excheker, proceeding upon a supplication made by the brethrein of the ministrie to them, dated at Halyrudhous, the 10th day of Februar, 1590, declaring their meaning to be, that all ministers that have vitiated anie benefices of cure, in whole or in part, by purchassing unto themselves, their heyres and assigneys, long tackes of the same, within the worth of the said benefices, be compelled, by the censures of the kirk, to restore them againe to their owne integritie, unto the ministers presentlie serving the cure; and, to that effect, requires the Generall and Synodall Assembleis, commissioners, and presbytereis of the bounds where the said benefices ly, to take triell of suche persons, and to proceed against them as said is, in most strait forme, according as suche a great enormitie in ministers craveth, ay and whill they have redintegrated the benefices which have beene corrupted and vitiated by them as said is, but anie farther processe of law to follow therupon; as the said act, subscribed by my Lord Chanceller Newbottle, Sir Robert Melvill, Parbrothe, Blantyre, Carmichael, Glencludden, Colluthie, and Mr Peter Young, beareth. The Generall Assemblie of the kirk being advised therewith,

alloweth and approveth the said act and advice of the said Exchecker, and ordeaneth the same to be putt in executioun in everie presbyterie, according to the tenour therof.

Sessioun 17.

Forasmuche as it being deepelie considered by the Assemblie, that manie things have beene done by them, and by others pretending the title and name of the kirk, greatlie prejudiciall to themselves, their discipline, and also the patrimonie and living of the kirk; and that by priviledge of good lawes it is granted and leasome to them to remedie themselves, by revocatioun therof: Therefore, the whole Assemblie, after grave and mature deliberation, hath revocked, and by thir presents revocketh, all and whatsomever thing done by them, or others clothing them with the name of the kirk, prejudiciall to themselves, their discipline, their patrimonie, and living, as being enormelie hurt thereby; and protesteth, according to the dispositioun of the said law, solemnelie, they may be heard in tyme and place, to seeke remeed therof: And for more speciall expressing, and more particular declaratioun therof, hath willed their brethrein, Mr Robert Pont, Mr David Lindsey, Mr Robert Bruce, and Mr Andrew Melvill, to conceave in writt the forme therof; the copie wherof, eache presbyterie is ordeaned to receave, and to give command to the pastors within their bounds, to intimat the said revocation made in this Assemblie from their pulpits.

Tuiching the forme of the examinatioun before the communioun, penned by their brother, Mr Craig, the Assemblie thought it meete to be imprinted, being by the author therof contracted in some shorter bounds.

The Generall Assemblie is appointed to be holdin at Aberdeen, the 17th of August, 1592; but in cace a parliament interveene, to hold where the parliament sall sitt for the tyme, and conveen two dayes before, the rest of the presbytereis being advertised by the Presbyterie of Edinburgh.

MR P. SIMSONE PURGED.

Mr Johne Grahame, Lord-Justice, compeering upon the thrid of August before the Presbyterie of Edinburgh, charged them, by a macer, to desist from further proceeding against them, but under no paine. The charge was subscribed by the chanceller, the Lords Menmure, Culrosse, Barnbarroch. Mr Andrew Melvill and Mr Robert Bruce were appointed to speeke the king, the chanceller, and sindrie lords. The king composed the mater, and made Mr Johne Grahame to acknowledge Mr Patrik to be an honest man. So, whereas Mr Johne Grahame had slandered him to be a suborner of a notar, he changed his words, and said he knew nothing but that he had beene bussie in his contrare.

BOTHWELL DENUDED OF HIS OFFICES AND PERSUED.

Upon Fryday, the 23d of Julie, a proclamatioun [was made] at the Croce of Edinburgh, discharging to furnishe meate and drinke to Bothwell, to interteane or recept him, and to assist the magistrats to apprehend him when they sall be required. Upon Moonday, the 26th, Bothwell supping in Leith, in Captane Maisterton's, the commoun bell of Edinburgh was knelled to give wairning to apprehend him. He came to the Neather Bow, throwed doun a fourtie shilling peece, in witnesse that he provoked the chanceller to come and take him, saying, he was at his horne, not at the king's. After that the king went over the water, the chanceller, fearing Bothwell, waiged souldiours to keepe his hous in Edinburgh, and caused Edinburgh keepe a strait watche. Upon the 29th of Julie, Marshall was wairded in the Castell of Edinburgh with Peter Kinloche, servitour to the Erle Bothwell, for speaking with Bothwell. The Lord Hume, guiltie of the same cryme, fled, but entered himself soone after in Blacknesse ; Rosling in Edinburgh, but were soone after sett at libertie. The Lord Hume turned an enemie to Bothwell. Upon Wednisday, the 4th of August, Bothwell was de-

nuded by publict proclamatioun at the Croce of Edinburgh of all honours, offices, and digniteis, as the Admiralitie of Scotland, the Shirefshipp of Lothiane, Merce, and Berwick. The Duke of Lennox was proclamed Admirall and Shireff in his place. The day after, the duke went to the Tolbuith of Edinburgh, and held an Admirall and Shireff Court, choosed new members, and held another Court of Admiraltie in Leith. Upon Moonday, the 18th of October, there was great bussinesse about the taiking of the Erle Bothwell, who escaped out of Leith, notwithstanding of all the haste the king made. His best hors, called Valentine, was taikin, and * * Scot, the Laird of Balwerie's brother, was caried to the Castell of Edinburgh by the guarde, at six houres at night.

MR WALTER STANDETH TO THE DEFENCE OF MR KNOX.

Upon Fryday, the 29th of October, Mr Walter Balcalquall was sent for to the king, becaus in his sermoun he had rebooked these that spake anie thing to the discredit of Mr Knox. The king said, ather he sould lose his crowne, or Mr Walter sould recant his words. Mr Walter prayed God to preserve his crowne, but he said, if he had his right witts, the king sould have his head before he recanted anie thing he spake. Upon the Lord's day following, Mr Robert Bruce, the king being present at sermoun, said, that nothing would accuse the conscience more fearefullie, when God wakenned it, than speeking against God's servants, and persecuting them; and prayed that the queene might be induced to frequent the preaching of the Word, and that evill companie might be removed from about her. The nixt Sabboth, he tuiched the king, and his evill companie about him, speciallie, hypocriticall subscribers preferred to high places.

THE MINISTERS VISITE THE KING'S HOUS.

Upon Wednisday, the eight of December, Mr Robert Pont, Mr David Lindsey, and Mr Johne Davidsone, went doun to the Palace

of Halyrudhous, to visite the king's hous, to try what negligence was in pastors, and abusses in the familie. They went againe upon Fryday, the 10th, and the king himself was present. They urged the king to have the Scripture read at dinner and supper, and willed that new elders sould be chosin, and the comptroller left out.

MR J. DAVIDSONE'S CONFERENCE WITH THE KING.

Upon Fryday, the 17th of December, Mr Johne Davidsone went doun to the Palace, to speeke with the king of suche things as he would not utter publictlie at the visitatioun. He admonished him of neglect of justice, carelesse appointing of the ministers of justice, placing unfitt men in offices, granting remissiouns. The king answered, he found not concurrence in inferiour magistrats; no, not against Bothwell, who sought his owne life: farther, that there were diverse officers of justice clamed their places by heritage, and sindrie shireffs. As for knowne pardouns, he would answere for everie one which he gave by good law and reason. As for unknowne, suche was the multitude of his bussinesses, that some about him deceaved him by importunitie, and gott stolin subscriptiouns, from which kinde of dealling he thought no flesh in his place could alwayes be free; and farther, he saw not where to make choice of fitt officers; for when anie man's particular cometh in questioun, then their partiallitie may be seene. Tyme straiting, Mr Davidsone desired that he might have accesse to his Majestie another tyme, which was granted. Mr Patrik Galloway was called upon to the king, to make a sport of the conference, as Mr Davidsone collected.

BOTHWELL BESETTETH THE PALACE OF HALYRUDHOUS.

Upon the 27th of December, about supper tyme, Bothwell came to the Palace of Halyrudhous. He and his complices came to the king's doore, the queen's, and the chanceller's; at one tyme with fire to the king's doore, with hammers to the queen's doore. Sir

James Sandelands was sent in haste to the Proveist of Edinburgh. The citicens, wairned by the sound of the commoun bell, followed the proveist doun to the palace. Before they came, Bothwell and his complices escaped, all except sevin or eight, that were apprehended, and after hanged at the Croce. William Schaw, maister stabler, was slaine, and his brother hurt. It was suspected that the duke was upon the conspiracie, for the conspirators came through his stables, and he himself came not till all was ended.

THE NAMES OF SUCHE AS WERE AT THE BESETTING OF THE ABBEY OF HALYRUDHOUS, UPON MOONDAY, THE 27TH OF DECEMBER, BETWEENE SEVIN AND EIGHT AT NIGHT.

The Erle Bothwell.
The Laird of Spott.
Mr Johne Colvill.
Hercules Stuart, brother to Bothwell.
The Laird of Samwellstoun, younger, and Alexander, his brother.
The Laird of Nidrie, younger.
The Bailiffe of Nidrie.
Archibald Douglas, sonne to Mortoun.
Robert Scot, brother to Balwerie.
The young Laird of Dawick.
James Stuart of Tinneis.
William Stuart, constable, his brother.
David Stuart.
Robert Stuart.
Johne Stuart of Fowleth.
Laird of Thornedykes.
Ninian Chirneside.
James Hepburne.
Robert Hepburne in Hales.
William Lermonth of Hill.
Mr Thomas Cranstoun, younger, of Moreston.
Robert Hume, younger, of Heuche.
William Hume of Prandergaist.
Alexander Hume, his brother.
William Pringle in Heriot Mure.
Hob Pringle there.
William Ormeston in Brigend.
* * Ormeston of Brigend.
* * Ormeston, sonne to Johne Ormestone in Smailhame.
* * Midlemest of Greisone.
James Pot in Sprowstoun.

David Glaidstains there.
Robert Lermonth, in the Tounheid of Kelso.
James Lermonth, his brother.
Alexander Lermonth, brother to the Laird of Lermonth, in Ersiltoun.
Patrik Crummie.
John Trotter in Ryselay.
David Pringle in Kelso.
Johne Ormeston in Smailhame.
Patrik Ethintoun of Mirrankirk.
Two brethrein to the Person of Aldhamstocks.
Alexander Liddall.
Johne Chiftane.
Robert Moffett.
Hector Trummill.
William Trummill.
Thomas Veitche.
George Heigh.
Johne Gourlay, all eight of Dalkeith, suspected.
Johne Gibsone, Greave of Crichtoun, tane, putt in the king's will, had to the gallous, sent backe to the Tolbuith of Edinburgh.

THE KING'S PUBLICT THANKSGIVING FOR HIS DELIVERIE.

Upon Tuisday, the 28th of December, the king came to the Great Kirk of Edinburgh. Mr Patrik Galloway preached upon the 134th Psalme. He discoursed upon the deliverie the Lord had wrought the last night, and declared the king was come to give publict thanks to God for the same. It was a fitt tyme to instruct the king and the lords to their dueteis, by sharpe admonitioun, but in that point he was verie slander. After sermoun, the king related what benefites he had bestowed upon Bothwell from the beginning, and how ungrate he was of late in seeking his life, by poysoun, witchecraft, and now at last directlie, and compleaned that the subjects recept him. He thanked the proveist and the toun of Edinburgh for their readinesse to serve him. The 124th Psalme being sung, they dissolved.

Upon Wednisday, the 29th, Mr Craig teaching before the king upon the two brazen mountaines in Zacherie, said, that the king had lightlie regarded the manie bloodie shirts presented to him by his subjects craving justice; so God, in his providence, had made

a noise of crying and fore-hammers to come to his owne doores. He would needs have the people to stay after sermoun, and purged himself. He said, if he had thought his fied servant, meaning Mr Craig, would have dealt after that maner with him, he would not have suffered him so long in his hous. Mr Craig not hearing what the king said, by reasoun of the throng, went his way.

Not long after this fact committed by Bothwell, this letter following was cast into the king's chamber: "It appeares to me that the duke cannot excuse himself weill of the last turne that was in hand, in respect his speciall servants are gone away with the dead, and als William Keith, his good father, one of the interprise of that fact. If your Majestie be not blind, that may be weill seene, and als, your Majestie may understand, that these that the duke hath medled with have not forgott the death of the Erle of Gowrie. Therefore, I thinke it best that yee caus her flitt her campe, and dwell farther from your Abbey; for your Majestie's entreis and hers is all one. I see sindrie daylie in your companie that give your Majestie faire words, that are als guiltie as they that were at the turne doing, that looke right mylde upon the mater; and if they wist where to leape to, they would be faine away. But they feare they sall not be so welcome as before, to England, I meane. And if your Majestie cannot judge what they are, consider with your Majestie's self what they are that Mr Johne Colvill has the greatest stroke of, and what companie he hanteth most. I have no farther at this present to say. But suche as I meane will await weill on, whill they devise a new guise. Therefore, be wise, and doe your turne quickelie. So I conclude.

"By your Majestie's servant at power."

M.D.XCII.

PROCLAMATION AGAINST BOTHWELL.

Upon Moonday, the tenth of Januar, a proclamatioun was made at the Croce of Edinburgh, tuiching the apprehensioun of the Erle

of Bothwell, and promises made to anie that would kill him. In this proclamatioun, Bothwell was declared to be one of the factioun of the Bridge of Dee. It was thought to be penned by the king himself.

THE KING ALMOST DROWNED.

Upon the 13th of Januar, the king road from the Palace of Halyrudhous eastward, to apprehend Bothwell, but had almost beene drowned in a poole of water, if he had not beene rescued and pulled furth by the necke by a yeaman, where the courteours durst not venture.

Upon Thursday, the 20th of Januar, Colonell Stuart was wairded in the Castell of Edinburgh, becaus the queene used him as an instrument to disgrace the chanceller, and to sivver the king from him.

THE ERLE OF MURREY KILLED BY HUNTLEY.

Upon Tuisday, the 8th of Februar, Edinburgh [was] full of mourning and lamentatioun, earelie in the morning, for a cruell murther committed in the night before, upon the Erle of Murrey, in his owne place at Dinnybrissill, and the Shireff of Murrey, by the Erle of Huntlie. He went out of Edinburgh from the king, and that same night sett the hous of Dinnybrissill on fire, so that the Erle of Murrey was forced to come furth, and was discovered by some sparkes of fire in his knapskall, and so was killed and cruellie demained. The Shireff of Murrey was likewise killed. The king went furth to the hunting that morning, and hunting about Innerleith and Weirdie, he saw the fire, which had not yitt died out, but nothing moved with the mater; yea, the people blamed him as guiltie, and not without caus. For he hated the Erle of Murrey, partlie becaus he hated that hous for the Good Regent's sake; partlie becaus the erle was suspected to be a favourer of Bothwell. Chanceller Matlane, for the same respects, hated Murrey, and

hounded furth Huntlie. Camden, in his Annales, layeth the whole burthein upon the chanceller to cleere the king. But it is knowne that these his Annals were composed at the king's directioun and pleasure. The king sent for five or six of the ministers, made an harangue to them, wherin he did what he could to cleere himself, and desired them to cleere his part before the people. They desired him to cleere himself by earnest persuing of Huntlie with fire and sword. A proclamatioun was made, with beating of the drumme, to declare the king innocent, but no word of persuing of Huntlie. The king alledged his part to be like David's, when Abner was slain by Joab.

THE ERLE OF MURREY'S CORPS BROUGHT OVER THE WATER.

Upon the nynth of Februar, the Erle of Murrey's mother, accompanied with her freinds, brought over her sonne's and the Shireff of Murrey's deid corps, in litters, to Leith, to be brought from thence to be buried in the yle of the Great Kirk of Edinburgh, in the Good Regent's tombe; and, as some report, to be made first a spectacle to the people at the Croce of Edinburgh. But they were stayed by command from the king. Captan Gordoun was left for dead at Dinnybrissell; his hatt, his purse, his gold, his weapons, were taikin by one of his owne companie; his shankes were pulled off. He was taikin in to the Erle of Murrey's mother, and was cherished with meate, and drinke, and clothing. A rare exemple! She brought him over with her sonne's corps, to seeke justice. The Erle of Murrey's mother caused draw her sonne's picture, as he was demained, and presented it to the king in a fyne lane cloath, with lamentatiouns, and earnest sute for justice. But little regard was had to the mater. Of the three bullets she found in the bowelling of the bodie of her sonne, she presented one to the king, another to * * the thrid she reserved to herself, and said, "I sall not part with this, till it be bestowed on him that hindereth justice."

CAPTAN GORDON BEHEADED.

The Erle of Huntlie stayed at Innerkeithing till the Laird of Geicht returned from Edinburgh. When he understood how the mater was taikin by the people, he went homewards by St Johnstoun, where one of his men that was at the slaughter died. Captan Gordoun was beheaded at the Croce of Edinburgh, and a running footman hanged upon Saturday the 12th of Februar. The captan condemned the fact as horrible, protesting he was brought ignorantlie upon it; but confessed the Lord had brought him to this shamefull end for his manie other great offences.

THE MURMURING AND OBLOQUIE OF THE PEOPLE.

The king and the chanceller went from Edinburgh to Kinneill, to the Lord Hammiltoun, to eshew the obloquie and murmuring of the people. Hardlie could they be asswadged. The proveist and magistrats of Edinburgh with great difficultie stayed the crafts from taking armes, to stay the king from ryding, and to threattin the chanceller. The souldiours of the king's guarde being miscontent their waiges were not payed, tooke the chanceller's trunkes and coffers off horsebacke into the guarde-hous, till Carmichaell made a solemne promise that they sould be payed. The Lord Uchiltrie avowed that he would stand to it, that all that he did in bringing in the Erle of Murrey under assurance to Dinnybrissill was by the king's appointment, and that none was privie to it but the king, the chanceller, and he. Blarquhan, father-in-law to Uchiltrie, assured Mr Johne Davidsone that this was of veritie.

THE KING'S LETTER TO HUNTLIE, WRITTIN ABOUT THE SAME TIME, OR A LITTLE BEFORE.

"Since your passing heerefra, I have beene in suche danger and perrell of my life, as since I was borne I was never in the like,

partlie by the grudging and tumults of the people, and partlie by the exclamatioun of the ministrie, whereby I was moved to dissemble. Alwise, I sall remaine constant. When yee come heere, come not by the ferreis; and if yee doe, accompanie yourself, as yee respect your owne preservatioun. Yee sall write to the principall ministers that are heere, for thereby their anger will be greatlie pacified."

JOHNE NAISMITH THREATNED.

The king raid to Glasgow to persue Bothwell; but Bothwell cometh backe by the way above Dumbartane, accompanied with one, and leaving his ladie behind him. Johne Naismith was caried to Glasgow upon Wednisday the sixteenth, where he was threatned with torments to confesse that the Erle of Murrey was with Bothwell that night he besett the king in the Abbey. But he answered, He would not damne his owne soule with speeking untruthe for anie bodilie paine.

MR P. ADAMSONE'S DEATH.

Upon Saturday, the 19th of Februar, Mr Patrik Adamsone, Bishop of St Andrewes, departed this life about ten houres at night, without anie sense or feeling.

SOME MINISTERS INVITED BY THE KING TO GLASGOW.

Upon Tuisday, the 22d of Februar, the king came unlooked for to Edinburgh, in haist, accompanied with seven or eight hors. He would have some of the ministrie with him to Glasgow. Mr Robert Bruce, Mr Robert Rollock, Mr David Lindsey, went with him, but gave sindrie reasouns wherefore they could not justifie Huntlie's fact, howbeit it were found that the Erle of Murrey had been in the Abbey with Bothwell upon the 27th of December last bypast.

THE KING MEETETH WITH HUNTLIE AT LINLITHQUO.

Upon Moonday, the 28th of Februar, the king and chanceller came from Glasgow to Linlithquo. There they dealt with Huntlie to enter in waird in Blackenesse, when he sould be charged, assuring him he sould incurre no danger; wherunto he yeelded.

RICHARD GRAHAME THE SORCERER EXECUTED.

Upon Tuisday, the last of Februar, Richard Grahame, the great sorcerer, was wirried and burnt at the Croce of Edinburgh. He stood hard to his former confessioun tuiching Bothwell's practise against the king; that Arran, Lord Farneyeere, was an inchanter; that the devill was raised at the Laird of Auchinfleck's dwelling-place, and in Sir Lewes Bellendine, the Justice-Clerk's yaird. The bruit went that the chanceller had some tables and images about his necke, and that he was sure so long as he used them so; but Richard Grahame deponned no suche mater.

THE KING'S RAGE AGAINST THE MINISTERS.

Upon Tuisday, the seventh of Marche, the Presbyterie of Edinburgh laboured earnestlie to have Huntlie and his complices excommunicated. The king grudged that the besetters of the Abbey were not excommunicated, and said it would not be weill till noblemen and gentlemen gott licence to breake ministers' heads.

Upon the thrid of Marche, Dame Margaret Douglas, Countesse of Bothwell, James Dowglas of Spott, Archibald Wauchop, younger of Nidrie, Mr James Colvill of Strarudie, William Stuart, sometime Constable of Dumbartan Castell, James Stuart of Tinneis, Johne Hammiltoun, Person of Samuelstoun, William Learmonth of the Hill, Robert Hume of the Heuche, Hercules Stuart of Quhytelaw, George Auchincraw in Easterton, Patrik Auchincraw there, Mr Thomas Cranstoun, younger of Morestoun, Johne Cranstoun,

his brother-german, Johne Ormestoun in * * Robert Ormestoun, Patrik Crummie of Carrudden, David Orme of Magdrum, etc., were summouned at the Mercat Croce, to compeere in Parliament the 24th of May, to heare and see themselves forefaulted, for the cruell murther of Johne Schaw, the king's domestick, under cloud of night, breaking the chamber doores of the king's palace.

HUNTLIE WAIRDED AND RELEASED AGAINE.

Upon the 10th of Marche, George Erle of Huntlie entered in waird in the Castell of Blacknesse. But he and his servants keeped the castell in effect, howbeit James Sandelands, Tutor of Calder, was captane. He gave in his supplicatioun to the king and counsell, conveened in Linlithquo, for release, offering to re-enter, and underly the law when he sould be required. It was granted, he finding sovertie to re-enter. He found the duke, the Lord Hammiltoun, the Erle of Montrose, the Lord Maxwell, soverteis, under the paine of twentie thousand pund. The Ladie Down, seing no justice lyke to be obteaned for the murther of her sonne, left her maledictioun upon the king, and died in displeasure.

Upon the penult of Marche, Chanceller Matlane was commanded to remove from court. He obeyed, and went to Lethingtoun, there to remaine during the king's will. This change of court was wrought by the queene, and others that favoured Bothwell, who layed the burthein of all the present troubles and jarres upon the chanceller. The Erle of Marr, William Dowglas of Lochlevin, now Erle of Morton, and the Pryour of Blantyre, guided the court.

Upon the 7th of Aprile, the king went with speed over at Leith, to apprehend Bothwell in Braghtie. But being frustrated of his purpose he went to Perth, and sent for the Erle of Atholl, to challenge him for interteaning Bothwell. But he disobeyed. The Lord Gray, for the same caus, was wairded in the Castell of Edinburgh, the 25th of Aprile.

About this tyme, Bothwell caused cast in privatlie to the mini-

sters of Edinburgh this letter following, before the executioun of Richard Grahame.

"*To his loving Brethrein, the Ministrie and Eldership of Edinburgh.*

"Least innocencie sould give place to calumneis, and truth to lees, and least I, needing, but destitute of good counsell, sould neglect you, the ordinarie instruments appointed to snib and confort the afflicted, as you find them nocent or innocent, and to assist your owne infirme members with good advice, so farre as you may of a safe conscience, howsoever they be traduced; least, I say, by committing the forsaid errours, I give occasioun to my evill willers to thinke they have triumphed through my silence, and unto you mater to judge, I have disdained to seeke your wholesome counsell, how to behave myself in this my undeserved calamitie, for anie thing attempted against my soverane lord, native countrie, or religioun professed therin; I have therefore made my addresse unto your godlie Wisdoms, mynding sincerelie to expone unto you the estate of my lamentable caus, and to crave your charitable opinioun, with sattled mynde to follow the same: Not doubting but yee will, as patrons, protect my innocencie, so farre as I am able to justifie my owne part, and shew your selves meekefull censurers, where (to glorifie my God) I sall, with unfained repentance, confesse my offences; thanking his Divine Majestie, that he, as a mightie gyant, hath overcome and forced me to glorifie him to my owne shame; and yitt acknowledging it to be no shame, but honour, to suffer shame in this my vitious bodie, which hath not beene ashamed, in so manie wise, to offend and dishonour his Divine Majestie.

"So farre as I can learne, two principall points are objected against me. The one, dealing with strangers to the overthrow of true religioun, and of my native countrie; and consulting with witches, for the destructioun of his Majestie, my soverane, Concerning the former, I protest before God Almightie, (whose sacred name I minde never heerafter to use in vaine,) that I never dealt with anie forraine natioun, to the hurt ather of religioun or of his

estat. But the truthe is, that immediatlie after the death of the queene, my soverane's mother, of good memorie, Mr Johne Matlane, now chanceller, the author of my calamitie, dealt with me as with other noblemen for the tyme, and enduced us at the last Parliament to give our oath to revenge her death; causing us also solemnelie to protest inimitie to that natioun which had procured her destructioun, and freindship to their foes whatsomever. Heerupon the Spanish agents, heere resident for that tyme, tooke occasioun to insinuat themselves in the favours of sindrie noblemen; and among others, I cannot deny but I entered to be privie and familiar with them, so farre furth as I thought they might helpe to the effect foresaid.

"In dealling with suche instruments, although I might alledge, for excuse, that it was not altogether unleasome in maters of policie to have frequented them; that the oath foresaid, made in Parliament, gave me occasioun to use them; that the exemple of sindrie noblemen doing the like encouraged me so to doe; but cheefelie the exemple presented by the chanceller himself, who admitted them to be his domesticks, (like as yitt some of them are;) being farther embarrassed in the Spanish course nor ever I was, and continuing theerin, till he perceaved the Erle of Huntlie, with some others, then his unfreinds, to have more credit with the Leaguers nor he had; and the distributioun of the Spanish gold committed to them, and not to him. This oversight in the agents foresaid made him incontinent of an enemie to England, and freind to Catholicks, a sincere Protestant, and favourer of England; how sincerelie and uprightlie lett everie man judge. Albeit these and other arguments might serve me for coloured excuses, yitt I confesse my errour; condemning myself that I had to doe for anie respect with suche persons, without your privitie and knowledge, submitting myself to be censured heerin as ye sall thinke convenient for removing of slander.

"As for the destructioun of my soverane lord, how improbable that is, I leave that to everie discreit man's consideratioun. For who will procure the death of another, but ather for hatred or some ap-

pearance of profite that may redound thereby? Nixt, can anie man, that is not beside himself, hate, where both benefites and blood compell him to love; and is it not the greatest honour I can wishe, yea, more nor apperteaneth to me, to have my prince so neere a kinsman; or can anie come in his place so sib to me, or that sall be of himself so weill affected? But lett thir presumptiouns (though they carie a necessar probabilitie) have no place, I am accused by deboshed and infamous persons, and poore beggars that have desperatlie renounced their faith and baptisme. The accusatioun of suche is not sufficient to prove, in anie civill caus, the valour of five shilling. Then sall their affirmatioun bereave me of my life, land, and honour? O, but the great legislator the chanceller, my judge and partie, affirmeth, that not onlie persouns of whatsomever conditioun, but also apes, if they could speeke, were sufficient witnesses in maters of treasoun! Yitt the law of God, the onlie tuichstone of all judgement, admitteth no witnesses but suche as be famous and unsuspected; and our municipall law condemneth none without confessioun of the criminall, or by a condigne assise of their equalls. But I thinke myself beholdin to the chanceller; for he would not wishe me to be wearied with long processe, but would perswade his Majestie to proceed summarilie against me, even as he and some of his freinds advised the Erle of Murrey, Regent, to have proceeded against his mother, of good memorie; but finding the said erle contrarious, they left him and returned to her service; objecting falselie against him the treasoun which they themselves invented, as sall be cleerelie verified, whensoever convenient place and tyme sall be offered. But to purpose; granting that apes could speeke, and were by law admittible to testifie, yitt if they were suborned, and their depositiouns contrarious, condemning the person accused, so long as they were in hope of life, and purging him when they were brought to the executioun, then sould not ather their depositiouns be thought unsufficient, by reasoun of their wavering, or, at least, sould not their last words have most effect? But so it is, that all these desperat persouns, whatsomever they have alledged upon hope of life against me, yitt, in end, by their

latter speeches, they have declared me innocent, albeit they laiked not malicious persons to perswade them to the contrarie. So of all that number, resteth onlie Richard Grahame to affirme against me; and he hath a warrant of his life weill subscribed. But the more he be assured of his life, the more dishonour to the estat, and his depositiouns are the more suspicious. For I am assured, if he were ather tortured or executed, he sould, as the rest have done, confesse his errour, seing I am able to prove, that not eight dayes before he accused me, he said these words to a gentleman of good place and fame: What sall I doe? I must ather dee, or lee of noblemen. Yea, his owne brother, and some of your owne number, sall be witnesses heerof, if need be.

"Moreover, what malefactor, speciallie suche as he is, will refuse, upon promise of impunitie, to accuse another, were he never so innocent? Yee can remember, (and some of you were slandered, although most unjustlie, in the mater I am to alledge,) was not an honest baron, for safetie of his owne life, perswaded to affirme that the Erles of Angus and Marr, and Maister of Glames, with the rest of the banished for the tyme, had sett out some disguised persons to invade his Majestie, and bereave him of his life?[1] And for this purpose, the late Justice-Clerk was sent to England to accuse them therupon. So long as the said noblemen were absent, none durst excuse their innocencie: but how soone they gett accesse to his Majestie, the authors of that calumnie were removed, the accusatioun vanished as a mater most frivolous and false. It is not then to be mervelled, though deboshed Richie Grahame, inspired with an uncleane spirit, accuse me for preserving of his owne life, considering a baroun of good fame and estimatioun committed the like errour, against the noblest and faithfullest subjects of this realme, forced therunto by just feare, that may fall upon constant and upright mindes.

"Tyme, the mother of truthe and experience, the schoolemaister of fooles, teacheth me to consider my calamitie to have proceeded from him that hath beene the author of all distresse which honest

[1] See Vol. IV. p. 345.

men have susteanned within this realme these ten or twelve yeeres bypast. For who wrote the Erle of Mortoun's dittay but the chanceller with his collegues, the Person of Flisk, the furnisher of the hous and powder perpetrated for the massacre of his Majestie's father, of worthie memorie? Did he not craftilie perswade the Erle of Gowrie to write a letter which served for a dittay against himself? Did not he first penne the infamous and hereticall accusatiouns sett out under the name of the Bishop of St Andrewes, against the faithfull servant of God, Mr James Lowsone, and remanent godlie persons banished at that tyme, as the said bishop hath latelie confessed? Who hath putt in his Majestie's minde the hard impressiouns against the Erle of Murrey, Regent, and others that gave their heart blood for his service, but Sobnah and Rezin, our chanceller, mynding thereby, both to make the worthie instruments that mainteaned his Majestie's life and crowne in his youth, together with the caus which they susteaned, to be odious in his presence? But all that tyme he was masked, covering himself with the power and countenance of some one or other evill-advised person, whom he powssed fordward to execute his craft and malice. But now, finding none that will be anie more abused by his subtilitie, he is forced unmasked to enter in the stage. So, by the meanes foresaid, unperceaved, he hath perfytted the first act of his tragicall shame, so farre as in him lyeth, concerning the destructioun and discrediting of his Majestie's most faithfull servants, and their caus. Now, he is in doing of the secund act, which is, the overthrowing of his Majestie's race and name, moving his Grace, as it were, with his owne sword, to dismember himself. Some of us are alreadie banished, some are incarcerated, some are cruellie murthered, some have na favourable countenance when they gett accesse, and suche as are in best cace amongst us have little or no credite. If he can compleit the secund act, then had he neerelie ended his tragedie; for his Majestie's faithfull servants and kinsmen once destroyed, what can stay him to build up another kingdom, wherof he hath alreadie layed a solide foundatioun? Or how sall his Majestie be able to correct him, incace his Hienesse, at anie

tyme heerafter, see occasioun to find fault with him? Cochrane's misdemeanour, in my opinioun, was more tolerable; for though he drew his soverane to contemne his nobilitie, and persecute his brethrein upon suspiciouns of witchecraft, yitt he never professed freindship where he perswaded his prince to hate. But the chanceller doeth the contrarie; for, under the pretence of sincere freindship, he worketh all his malice, wherof I myself have had the prooffe; considering all that while I was in the Castell of Edinburgh, I receaved so freindlie messages from him as my heart could wishe; and after that I had escaped, he advertised me that it was not eneugh to escape, and keepe myself obscure, but it was necessar for me to make a partie of noblemen, once to shew them publictlie in arms for my releefe. Which being, he assured me it sould move his Majestie more to compositioun than all the requeists and intercessiouns that would be made. I absteane heere to declare what he spake to the dealers betuixt us concerning his Majestie's naturall and inclinatioun, for my heart abhorreth to thinke theron. But after I had refused to attempt anie such mater, then, by the saids persons, who yitt live, he shew me that he had almost discredited himself for my caus, and that the cubiculars destroyed in the night all that he could build for me in the day; and, therefore, he advised me to move her Majestie to intercead, assuring me her mediatioun would take effect. And, last of all, he caused certane noblemen draw me to Leith, where he promised to knitt up sure freindship with me, and to make my peace within a short tyme, forewarning me that there was no danger to come hither, seing his Majestie would not ryde himself a myle out of his way to seeke me, in respect he had appointed one or two that sould undertake to slay me. So I, more credulouslie nor wiselie, came to Leith, where he, thinking to have surelie trapped me, moved his Majestie to come hither, and most diligentlie to search me, as is weill knowne.

"The stirring up, not long before, at Carfra, of the Lord Hume, my faithfull brother, against me, lykeas he has of late hounded out the Erle of Huntlie most cruellie to murther the Erle of Mur-

rey, and his craftie device to caus the Lord Hume and me, everie one of us to destroy another; esteeming the destructioun of both, or anie one of us, sould have made him elbow-roome, and given an occasioun to a puddock-stoole of a night to occupie the place of two ancient cedars; this, his unhumane treacherie, made me somewhat jealous of his plausible offers; yitt, overcome with the fidelitie of honourable dealing betwixt us, who were alsua * * *
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THE * * GENERALL ASSEMBLIE.

The Generall Assemblie conveened upon the 21st of May. Exhortatioun being made by Mr Nicoll Dagleish, moderator of the last Assemblie, Mr Robert Bruce was chosin moderator.

COMMISSIONS.

Sessioun 2.

It was propouned to the whole brethrein, to consider and discerne, if they thought meet or not the Assemblie sould make sute for the articles following:—First, That the acts of Parliament made in the yeere of God 1584, against the discipline of the kirk, libertie, and authoritie therof, be annulled, and the samine discipline, wherof the kirk hath beene in practise, ratified. Secundlie, The abolitioun of the Act of Annexatioun, and restitution of the patrimonie of the kirk. Thridlie, That abbots, pryours, and other prelats pretending the title of the kirk, and voting for the samine, without their power or commissioun, be not suffered in tyme comming to vote for the same, ather in parliament or other conventioun. Last, That the countrie, which is polluted with feareful idolatrie and blood, be purged: Which whole articles the full Assemblie thought most necessar to be craved; and for putting the same in good forme, imployed their brethrein, Mr Robert Pont, Mr David Lindsay, Mr Thomas Buchanan, Mr James Melville,

willing them to present the samine at ten houres to the full Assemblie, to be considered by them.

As concerning the voting in parliament in name of the kirk, if it sould be thought leasome the ministrie sould succeed in that part in the prelats' place, it is referred to consultatioun whill the morne; and everie brother is ordeanned to weygh and debate that argument with himself, and be readie the morne to reasoun their opinioun in the same.

Sessioun 6.

Forasmuche as the Assemblie, considering their duetie, first, to God, and the necessitie of the charge which is imposed upon them, seing the daylie decay of religioun, and laike of justice, wherof the effects, to the regrait of all true Christians, more and more fall out in miserable experience; and that the duetie of their office burthenneth them to discharge their conscience in this behalfe, to their soverane, to whom cheefelie it apperteaneth to procure remedie therof: Therefore, directs their brethrein which were nominated before, to present their articles to his Majestie, together with Mrs Nicoll Dagleish, Patrik Symesone, Patrik Schairp, Johne Malcolme, and David Fergusone, to passe immediatlie to his Majestie; to lament the daylie decay of religioun, disorder, and laike of justice within this realme; to crave his duetie, as he would answere to God, to be done for remeed therof; and gravelie to admonishe his Majestie, in the name of the Eternall, to have respect in time to the estat of true religioun perishing, and to the manifold murthers, oppressiouns, and enormiteis daylie multiplied, through impunitie and laike of justice; and to discharge his kinglie office in both, as he would eshew the fearefull challenge of God, and turne his wrathe off his Majestie and the whole land. And to the effect his Majestie may be the better informed of the particulars, to lay down the same particularlie to him, and crave his answere, that they may report his answere to the whole Assemblie.

Sessioun 22.

Tuiching the haynous and cruell murther of the Erle of Murrey, committed by the Erle of Huntlie and his complices, the brethrein and Assemblie present hath givin, and giveth ordinance and strait command to the brethrein of the Presbyterie of Brechin, who have alreadie entered in processe with him, to proceed, with concurrence of two brethrein of everie one of the Presbytereis of Angus and Mernes, against him, for the said cruell fact, according to the Acts of the Assemblie.

Sessioun 23.

Tuiching the act made concerning deposed ministers or persons in this last Parliament, it was thought meete at the nixt Parliament or conventioun, having the force or commissioun of a parliament, to crave, that where it ellis hath beene enacted, that notwithstanding the pastor be deposed, the tacks and titles sett by him sall, nevertheless, stand, it be now provided and added to the said act, that incace the tacke or title be sett after the committing of the fact for the which the person is deposed, that suche tackes, factoreis, or titles whatsomever, sall be null, and of none availl, force, nor effect.

ACTS.

Sessioun 5.

It is ordeanned in tyme comming, that the brethrein receaving commissiouns from the kirk, and sleuthfullie overseing the executioun therof, sall be rebooked in the face of the Assemblie for their negligence.

Sessioun 22.

Tuiching the forme and order of excommunicatioun to be used against notorious murtherers, the Assemblie hath concluded, that

the order conteaned in the Booke of Excommunicatioun be keeped and followed out, according to the tenour therof.

MR CRAIG'S CATECHISME ALLOWED.

The forme of examinatioun before the communioun, penned by Mr Craig, was allowed by this Assemblie, and ministers willed to recommend it to the flockes and famileis, and to be learned in Lecture Schooles, in place of the Catechisme.

A CONFERENCE BETWEEN THE KING AND THE MINISTERS.

The brethrein who were appointed to present the articles to the king, went unto him upon Wednisday the 24th of May. The king was hote against the ministrie, for speeking so freelie in the pulpits against him and his nobilitie, and defending Mr Knox, the Good Regent, and Mr George Buchanan, "who," said he, "could not be defended, but by traterous and seditious theologues." They replyed soundlie and coldlie. Afternoone, Mr Andrew Melvill was so earnest in defence of these worthie men, that the chanceller said, That was not his earand he come for. Mr Andrew answered, He would take no discharge at his hand, nor at the hand of anie subject in Scotland in that mater, except his Majestie. The king found fault with Mr George Buchanan's booke, "*De Jure Regni*," and with sindrie other things in these worthie men. Mr Andrew answered, These men sett the crowne upon his head. He said, It came by successioun, and not by anie man. Mr Andrew replyed, They were the executioners and instruments; whosoever informed him sinistrouslie of these men, were nather true to him nor the commoun weale. The king said, Mr Knox called his mother a whoore, and allowed the slaughter of Davie in her presence. Mr Patrik Galloway answered, "If a king or queene be a murtherer, why sould they not be called so?" Mr Robert Bruce and Mr Patrik Galloway were sent for after supper, at which tyme the king was somewhat colder in conference. Upon Thursday, the

25th, he promised to the commissioners of the Assemblie, that the acts made against the kirk sould be annulled. Upon Fryday, the 26th, he purged himself, and layed the blame of all present misorders upon other estates. He granted the kirk sould have their owne place in Parliament. Mr David Blacke preaching in the Little Kirk, upon the 28th of May, in presence of the chanceller, said, The slaughter of Davie, so farre as it was the worke of God, was allowed by Mr Knox, and not otherwise.

A PROCLAMATION.

Upon the 24th of May a proclamatioun [was made] at the Croce of Edinburgh, that none weare anie fireworkes, hacquebutts, or dags, during the tyme of the Parliament, except the guarde and toun of Edinburgh: that none raise uproar and tumult, ather for new feed or old, under the paine of death. The Parliament was fenced, the sutes called.

A PARLIAMENT.

The Parliament beganne upon Moonday, the 29th of May. The king and the lords road to the Tolbuith in order, the duke bearing the crowne, the new made Erle of Angus the sceptre, Argile the sword. Angus protested, that howbeit at the king's desire he had granted his place to the duke, that it sould not be prejudiciall to him in tyme comming.

THE KING'S HARANGUE.

The first day of the Parliament the king had an harangue, wherin he layed to Bothwell's charge that he sought his destructioun, first by witchecraft, both when he was in Denmarke, and when he was at home, as the depositiouns of the witches would testifie, that he might succeed to the crowne, as the Erle of Atholl used against King James the First: Nixt, by violence, beating at his chamber-

doores with hammers. "And yitt," said he, "he was but a bastard, and could clame no title to the crowne." *Item*, That he had shed innocent blood, and had abused his bodie in adulterie; and sindrie other speeches he had to make Bothwell odious.

THE KING OFFENDED AT MR WALTER BALCALQUALL'S REBOOKE IN PULPIT.

Upon Fryday, the 2d of June, Mr Walter Balcalquall, in his sermoun, charged the king and nobilitie with great negligence of their dueteis, and called to their remembrance, that the same day ellevin yeere the Erle of Mortoun was executed, "who," said he, "some tyme was in als great place in this realme as anie subject among you. He repented that, when he had tyme and occasioun, he did not the good he might." Mr Walter was called before the king after noone, and in presence of the Lords of the Articles, querrelled him for declaiming against his persoun and estat, without exemple of the like in anie realme. Mr Walter alledged the practise of the commoun wealth of Israel. The king said, the office of the prophets was ended. Mr Walter answered, that not in substance but in circumstance, and that a greater office had succeeded in the ministrie of the New Testament than the prophets had. "Where have we that?" said the king. "Johne the Baptist was greater," said Mr Walter. "That was nothing," said the king: "The office of the prophets was to speeke of things to come, definitivelie." Mr Walter said, "That hindered not, but ministers might speeke definitivelie of things alreadie done, and rebooke as they did." The king, notwithstanding, dealt earnestlie with the Lords of the Articles to agree to an act against suche libertie of speeche, and to a commission to some speciall magistrats, to pull the ministers out of the pulpits when they speeke after that maner. He directed his speeche in speciall to the Proveist of Edinburgh. The proveist answered, "Sir, yee may discharge me of my office if you please, but that I cannot doe." "What," said the king, "will yee preferre them to me?" "I will preferre God before man," said

the proveist. The king chaffed, and that night at supper railed against the ministers. He was not a little offended at Mr David Lindsey, howbeit a court minister, for mainteaning that the kirk might excommunicat the king.

AN ACT OF PARLIAMENT FOR THE LIBERTIE OF THE KIRK.

The terrour of Bothwell's remaining in the countrie, and oftin neere the court, together with the horrour of the deed at Dinnybrissill, which the unburied corps of the Erle of Murrey, lying in the Kirk of Leith, made to be unburied in the hearts of the people, commoun rymes and songs, and threatning of judgement from the pulpit, keeped in recent detestatioun; and the better expeding of Bothwel's forfaltrie, procured at this parliament, by the expectatioun of the ministers, the act following to be made, which had cost them muche paines in manie yeeres before. Mr Johne Matlane, chanceller, was a cheefe instrument to enduce the king to passe it at this tyme, and that, to winne the hearts of the ministers and people, alienated from him for his hounding out of Huntlie against the Erle of Murrey. But the king repented after that he had agreed unto it. Becaus it is the speciall evidence of our discipline amongst civill men, I have heere sett doun the tenour of the act.

"THE RATIFICATION OF THE LIBERTIE OF THE TRUE KIRK, OF GENERALL AND SYNODALL ASSEMBLEIS, PRESBYTEREIS, AND DISCIPLINE; AND LAWES IN THE CONTRARE ABROGATED.—PARL. JUNIE 1592.

"Our Soverane Lord and Estats of this present Parliament, following the lovable and good exemple of their predecessors, hath ratified and approved, and by the tenour of this present act ratifieth and approveth, all liberteis, priviledges, immuniteis, and freedoms whatsomever, givin and granted by his Highnesse, his regents in his name, or anie of his predecessors, to the True and Holie Kirk presentlie established within this realme, and declared

in the first act of his Highnesse' Parliament, the 20th day of October, in the yeere of God 1579 yeeres, and all and whatsomever acts of parliament and statuts made of before by his Highnesse and his regents, tuiching the libertie and freedome of the said kirk; and speciallie, the first act of parliament holdin at Edinburgh, the 24th day of October, the yeere of God 1581 yeere, with the whole particular acts there mentiouned, which sall be als sufficient as if the same were heere expressed; and all other acts of parliament made sensyne in favour of the true kirk; and siclyke, ratifieth and approveth the Generall Assembleis appointed by the said kirk; and declareth that it sall be lawfull to the kirk and ministers, everie yeere at the least, and oftener *pro re nata*, as occasioun and necessitie sall require, to hold and keepe Generall Assembleis, providing that the king's Majestie or his commissioners with them, to be appointed by his Highnesse be present at eache Generall Assemblie, before the dissolving therof nominat and appoint tyme and place, when and where the nixt Generall Assemblie sall be holdin. And incace nather his Majestie nor his said commissioners beis present for the tyme in that toun where the said Generall Assemblie sall be holdin, then, and in that cace, it sall be leasome to the said Generall Assemblie, by themselves, to nominat and appoint tyme and place where the nixt Generall Assemblie of the kirk sall be keeped and holdin, as they have beene in use to doe these tymes bypast.

"And als, ratifeis and approves the Synodall or Provinciall Assembleis to be holdin by the said kirk and ministers twise in the yeere, as they have beene, and are presentlie in use to doe, within everie province of this realme.

"And als, ratifeis and approves the Presbytereis and Particular Sessiouns appointed by the said kirk, with the whole jurisdictioun and discipline of the kirk, as agreed upon by his Majestie, in conference had by his Hienesse with certane of the ministers conveened to that effect. Of the which articles the tenour followeth:—

"*Maters to be intreatted in Provinciall Assembleis.*

"Thir Assembleis are constituted for weightie maters necessar to

be intreatted by mutuall consent and assistance of brethrein within the province as need requireth. This assemblie hath power to handle, order, and redresse, all things ommitted or done amisse in the particular assembleis. It hath power to depose the office-bearers of their province, for good and just caus deserving deprivatioun. And generallie, these Assembleis have the whole power of the particular elderships wherof they are collected.

"*Maters to be treatted in Presbyteries.*

"The power of the Presbytereis is, to give diligent labours in the bounds committed to their charge, that the kirks be keeped in good order; to enquire diligentlie of naughtie and ungodlie persons, and to travell to bring them in the way again, by admonitioun or threatning of God's judgements, or by correction. It apperteaneth to the eldership to take heed that the Word of God be purelie preached within their bounds, the sacraments rightlie ministered, the discipline interteaned, and ecclesiasticall goods uncorruptlie distributed. It belongeth to these kinde of Assembleis to caus the ordinances made by the Assembleis Provinciall, Nationall, and Generall, to be keeped and putt in executioun; to make constitutions which concerne το πρεπον in the kirk, for decent order in the particular kirk where they governe, providing that they alter no rules made by the Provinciall or Generall Assembleis, and that they make the Provinciall Assembleis foresaid privie to the rules that they sall make, and to abolish constitutiouns tending to the hurt of the same. It hath power to excommunicat the obstinat, formall processe being led, and due intervall of tymes observed.

"Tuiching particular kirks, if they be lawfullie ruled by sufficient ministrie and sessioun, they have power and jurisdictioun in their owne congregatioun in maters ecclesiasticall.

"And decernes and declares the said Assembleis, Presbytereis, and Sessiouns, jurisdictioun and discipline therof foresaid, to be in all tymes comming most just, good, and godlie in the self, notwithstanding of whatsomever statuts, acts, canons, civill or municipall

lawes made in the contrare; to the which and everie one of them thir presents sall make expresse derogatioun. And becaus there are diverse acts of parliament made in favours of the Papisticall kirk, tending to the prejudice of the libertie of the true kirk of God presentlie professed within this realme, jurisdictioun, and discipline therof, which standeth yitt in the bookes of the acts of parliament not abrogated nor anulled: Therefore, his Hienesse and estats foresaid have abrogated, cassed, and annulled, and by the tenour heerof abrogats, casses, and annulls all acts of parliament made by his Hienesse' predecessors, or anie of them, for maintenance of superstitioun and idolatrie; with all and whatsomever acts, lawes, and statuts, made at anie tyme before the day and date heerof, against the libertie of the true kirk, jurisdictioun and discipline therof, as the samine is used and exercised within this realme: and in speciall, that part of the act of parliament holdin at Stirline, the 4th of November, 1443, commanding obedience to be given to Eugennius, the Pope for the tyme; the act made by King James the Thrid, in his parliament holdin at Edinburgh, the 24th of Februar, 1480, and all other acts whereby the Pope's authoritie is established; the act made by King James the Thrid, in his parliament holdin at Edinburgh, 20 *Novembris*, 1469, tuiching the Saturday and other vigils, to be holie dayes from even song to even song. *Item*, That part of the act made by the queene regent, in the parliament holdin at Edinburgh, 1st Februar, 1551, giving speciall licence for holding of Pasche and Yuile. *Item*, The king's Majestie and estats foresaid declare, that the 129th act of the parliament holdin at Edinburgh, the 20th day of May, the yeere of God 1584 yeeres, sall in no wise be prejudiciall, nor derogat anie thing to the priviledge that God hath givin to the spirituall office-bearers in the kirk, concerning heeds of religioun, maters of heresie, excommunicatioun, collatioun or deprivatioun of ministers, or anie suche like essentiall censures, speciallie grounded and having warrant of the Word of God. *Item*, Our soverane lord and estats of parliament foresaid abrogat, casse, and annull the act of the same parliament holdin at Edinburgh, the saide yeere 1584, granting commissions

to bishops, and other judges constituted in ecclesiasticall causes, to receave his Highnesse' presentatioun to benefices, to give collatioun therupon, and to putt order in all causes ecclesiasticall, which his Majestie and estats foresaid declares to be expired in the self, and to be null in tyme comming, and of none availl, force, nor effect. And, therefore, ordeans all presentatiouns to benefices to be directed to the particular presbytereis in all tyme comming, with full power to give collations therupon, and to putt order to all maters and causes ecclesiasticall within their bounds, according to the discipline of the kirk, providing the foresaid presbytereis be bound and astricted to receave and admitt whatsomever qualified minister presented by his Majestie or laick patrons."

OTHER ACTS OF PARLIAMENT.

There were also other acts made in this parliament anent manses and gleebs in cathedrall and abbey kirks. Committers of slaughter within kirks and kirk-yairds, and recepters of them after declaratour, incurre the tinsell of their lyve rents. Erectioun of kirk lands and tithes in temporall lordships is forbiddin. Sayers of messe, Jesuits, Seminarie preests, traffiquing Papists, and recepters of anie of them, committ treasoun. The act made in Februar, 1587, in favours of ministers, their stipends and rents, is ratified. Mercats on the Sabboth day are discharged. Who have not givin confessioun of their faith sall not injoy the act of pacificatioun and abolitioun. Unqualified persons being deprived, the benefice vaiketh, and the patron not presenting, the right of presentatioun perteaneth to the presbyterie, but prejudice of the tackes sett by the person deprived.

BOTHWELL AND HIS FREINDS FOREFAULTED.

At this parliament, Bothwell and the persouns before mentionned, summouned in the beginning of Marche, were forefaulted. The Castell of Edinburgh was givin to the keeping of the Erle of Marr.

THIS LETTER FOLLOWING WAS AFFIXED UPON THE GATE OF THE KING'S PALACE.

"Sir,—Fearing this treasonable conspiracie now attempted by the greatest number of Papists in Scotland, and of the best ranke, to subvert the religioun, and to reforme your Majestie's estat, by the hands of your deadliest enemie, Bothwell, with whom they are joyned in confederacie, sould be effectuated, I have tane occasioun to present to your Majestie this publict advertisement, which, I thinke, sall be the last, if your Majestie have not a better respect to it, to your privie intelligence, if yee remaine in this toun. I thinke Colonell Stuart sall perfytlie declare the effect of this mater, when it sall please your Majestie to inquire of him. Which (if your Majestie must be at Falkland) your nighbour, the Laird of Balwerie, hath the same moyen, and can reveele the lamentable and most dolorous conclusiouns devised for your Majestie's person, which sall be King Richard the Secund his courtesie. I ashame to remember your Majestie that the diligence of weomen is imployed to the performance of this conspiracie, and in speciall the Ladie of Pitfirran, who is a woman of executioun, and hath sufficient prooffe heerof, and the Maistresse of Gray. I darre take an instrument upon their heads, *Quia vidi, scivi, et audivi.*"

ANSWERE OF COLONELL STUART.

"Thy seing, hearing, knowledge, with thy concealing maters, maketh the treasoun to remaine in thy owne person, ay and whill thou manifest thyself, and bring to tryell that which thou hast spokin."

There was a reply made to Colonell Stuart's answere, subjoyned to it, wherin the author sayeth, he sould choppe him on the shoulder for warranting of his word in his face, if the king would give him leave.

THE ROAD OF FALKLAND.

Upon the 27th of June, Bothwell, accompanied with a number of horsemen, and speciallie border men, besett the Palace of Falkland. The Erle of Erroll and Colonell Stuart being with the king, were holdin captives, as suspected privie to this attempt. The countrie people dwelling neere Falkland releeved the king; Bothwell and his complices were scattered. They returned home sindrie wayes, and some of them so wearied with ryding night and day, that they fainted for want of meate and sleepe. Sir James Sandelands brought in to the king, upon the 29th of June, nyne or ten border men, speciallie Armstrangs, whom he had overtaikin in Bothwell Mure, of which number five were hanged, and the rest spaired, at the requeist of the Laird of Carmichaell, becaus they were not ordinarie or usuall ryders.

MR R. BRUCE HIS EXHORTATION TO THE KING, AND THE KING'S ANSWERE.

Upon Thursday, the 29th of June, the king came to Edinburgh earelie in the morning, and went to bed in Sir Neill Laing's hous. After noone Mr Robert Bruce had an exhortation upon these words, "O if thou haddest knowne," etc. He said to the king, "Your Majestie hath had manie admonitions, as we of the ministrie and other estats have had; but this last admonition is sharper nor the former, that now they pretended they come to seeke justice for the last horrible murther." How could he punishe others that was persued himself? He desired him to humble himself upon his knees, and to confesse his negligence before God, and to keepe his promise better nor he did the last he made in that place. The king was so farre from humbling himself on his knees, that he stood to his owne purgatioun, and controlled Mr Robert in some circumstances of the fact, which he related as he was informed, not having had as yitt the full knowledge therof. He said they were the same

persons that came to the Abbey, not moe in number, but rather fewer; that they came later in the night, to witt, at one after midnight; that they pretended no suche mater as to seeke justice for the last murther. "And this I speeke," said he, "that no man sould be afraid, for their number, nobilitie, or anie pretended querrell, to assist me in persuing these tratours." He willed all men to thanke God for his deliverie, if they would have anie benefite by his governement.

THE ADMONITION OF A YOUNG WOMAN TO THE KING.

There come from Aberdeene a young woman, called Helene Guthrie, daughter to Johne Guthrie, sadler, to admonishe the king of his duetie. She was so disquietted with the sinnes raigning in the countrie, swearing, filthie speeking, profanatioun of the Sabboth, etc., that she could find no rest till she came to the king. She presented a letter to him when he was going to see his hounds. After he had read a little of it he fell a laughing, that he could skarse stand on his feete, and swore [so] horriblie, that the woman could not spaire to reprove him. He asked if she was a prophetesse? She answered, she was a poore simple servant of God, that prayed to make him the servant of God also; that was desirous vice sould be punished, and speciallie murther, which was cheefelie craved at his hands; that she could finde no rest till she putt him in minde of his duetie. After the king and courteours had stormed a while, she was sent to the queene, whom she found more courteous and humane. So great and manie were the enormiteis in the countrie, through impunitie and want of justice, that the mindes of simple and poore young weomen were disquietted, as yee may see; but the king and court had deafe eares to the crying sinnes.

JAMES SINCLAR KILLED AT THE LORD HAMMILTON'S BACKE.

Upon the first of Julie, at even, the Laird of Nidrie, with two of his brethrein, the Laird of Samuelston, with his brother, Alexander

Abercrummie, and two Hepburnes, lying sleeping in the medow of Lesmahago, wearied after the last road, were taikin by the Lord Hammiltoun, and putt in the Castell of Drephan, the captan wherof was his sonne, Sir Johne. He came post himself to the king, to advertise him, but intreatted the king for their lives, becaus he had promised so to doe at their taiking. The king would not grant him his petition, but sent Carmichael to receave them. Before Carmichael came, the Lord Hammilton's base sonne, Sir Johne, sett them at libertie, and fled also himself. Upon Moonday, the 3d of Julie, the king sent for the Lord Hammilton to come to Sir Neill Laing's hous, where he loodged. Whill he was entering in at the closse head, hard beside the Neather Bow Port, toward the king's loodging, the guarde comming in at the port in the meane tyme, shott their volie, under shew of honour, but killed one of his companie, named James Sinclare of Eurston, through the head. His blood and harns ranne in the gutter before the loodging. It was alledged the shott was intended for the Lord Hammilton himself. He went home the day following.

Upon the 4th of Julie, Colonell Stuart had libertie to come from his loodging to the court, and to returne again. Upon Fryday, the 6th, he was transported from Robert Gourlay's hous in Edinburgh to Blackenesse.

MR R. BRUCE HIS OBSERVATION BEFORE THE CHANCELLER.

Upon the Lord's day, the 16th, Mr Robert Bruce teaching upon the 1st of Samwell, chap. vii., the chanceller being present, said, that at Saul's inauguration the people were verie frequent, for people have great expectation of new raised men. If they answere not to their expectatioun, they contemne them. If a vengeance light upon great men not doing their duetie, and people care not for it, it is the just judgement of God.

THE KING ACQUAINTETH THE MINISTERS WITH SOME INTERCEPTED LETTERS.

Upon Moonday, the 17th, sindrie of the ministrie of Edinburgh were sent for to the king. He shew unto them sindrie letters found upon Mr Johne Colvill's servant's brother, taikin at Falkland Road, conteaning their whole purpose. Manie of them were writtin with Mr Johne Colvill's owne hand so darkelie, that it was hard to take up the meaning; for a letter was sett doun for a word, and one word for another; as A. for the king, B. for the queene, C. for the duke, D. for Bothwell, S. for the Erle of Erroll, W. for Colonell Stuart, Pater for * * Noster for the Erle of Angus, O. for the Erle of Morton. A passage for exemple: "If A. (that is, the king) be at our toun, (that is, Dalkeith,) being made sure, etc.—but if A. be at Tusculanum, (that is, at Falkland,) etc., D. (that is, Bothwell) sall persue the late Erle of Murrey's murther so farre furth as Noster and S. (that is, Angus and Erroll) sall thinke good." The king divided the conspiratours in three rankes: Bothwell's faction, the Papists, and others drawin on for their owne particulars. The first two, he said, sought his life directlie. He shewed unto them also some contumelious verses made in contempt of him, calling him Davie's sonne, a bougerer, one that left his wife all the night *intactam; contemnit numina, sponsam*, &c. It was thought they were made by Captan Hackerston, one of Bothwell's cheefe followers. "Yee may see," said the king, "what they meane to my life, that carie suche libells about them. I thought good to acquaint you with these things, that ye may acquaint the people with them, for they have a good opinioun of you, and credit you."

ANGUS WAIRDED.

When the king was at Dumfreis, in the beginning of Julie, the Erle of Angus interceeding for Bothwell, was wairded in Dumlanrig, till the king returned to Edinburgh, at which tyme he was

committed to waird in the Castell of Edinburgh. Upon Tuisday, the 18th of June, Johnstoun was wairded in Dumfreis for aiding Bothwell, but was pardouned, becaus he came in the king's will.

THE KING SHIFTETH FROM PLACE TO PLACE FOR BOTHWELL.

Upon Tuisday, the 19th, the king was convoyed over the water with his guarde, with an hundreth harquebusiers out of Edinburgh, and sindrie gentlemen; for the courteours had raised a brute that the Lord Bothwell had gottin some shippes and boates to ly in waite for him. He returned upon the 24th of Julie from Falkland to the Palace of Halyrudhous, upon a brute that Bothwell was comming about by Stirline Bridge.

MR R. BRUCE HIS OBSERVATIOUN.

Upon the Lord's day, the 23d, Mr Robert Bruce, the Chanceller and Lord Maxwell being present, said, that the conventiouns of Scotland resolved in commissiouns; that the king himself went not about in person to execute justice yeerelie, as Samuell did; that the commissioners sought their owne standing more than the king's.

THE TOUN OF EDINBURGH TO BE DIVIDED IN EIGHT PARISHES.

Upon the Lord's day, the 6th of August, there was a letter read publictlie in the kirk of Edinburgh, at the directioun of the toun counsell, concerning divisioun of the toun in eight parishes, and providing of eight ministers, which was agreed unto by the sessioun and toun. The substance of it heere followeth :—

"By reasoun of the great dishonour done to God, speciallie in his holie Sabboth, by a great number of this citie in tyme of divine worship, partlie in ale houses, partlie at profane games in backe sides, partlie in opin streets, and some committing harlotrie in honest men's houses: and that besides thir, God's name is continually blasphemed, and manie other vices abound, as daylie expe-

rience teacheth us: As also, there is a great number of houses in diverse parts heere, that live onlie in recept of stollin geare, and interteaning of harlotrie, which whole vices spring of ignorance, for laike of teaching, due examinatioun, and oft visitatiouns, lyke as our pastors, being so few in number, can not in good conscience discharge a pastorall duetie in suche a populous citie where vice so aboundeth, except a meane be found out how these enormiteis in some measure may be remedied; which can not be done but by divisioun of the toun in competent congregatiouns: For this caus, the kirk and counsell hath thought good for the present, that this citie be divided in eight congregatiouns, and they to have eight ministers, whose stipends must be supplied by a yeerelie contributioun of the godlie and honest men of this good toun, whill it please God that the good toun be able, of their owne commoun good, to doe it themselves."

LOGIE ACCUSED FOR BOTHWELL.

Upon Moonday, the 7th of August, the king being in Dalkeith, the young Laird of Logie and Burlie promised to Bothwell to bring him in before the king to seeke pardoun. The king was forewarned, and Bothwell, howbeit brought in quietlie within the castell, was convoyed out againe. Burlie was accused, and confessed; Logie denyed, and, therefore, sould have suffered tryell. The night before, one of the queen's dames, Maistresse Margaret, a Dutchwoman, came to the guarde, and desired that he might be suffered to come to the queen, who had something to inquire of him. Two of the guarde brought him to the king's chamber doore, and stayed upon his comming furth, but she convoyed him in the meane tyme out at a window, in a paire of scheats, and he loodged with Nidrie that night. Others report that he confessed, but pretended he did it for the king's weale, to learne what was the purpose of the enemie. The king said, That was too muche, not making him privie. Logie said, "God forbid I sould have told you anie thing, who can keepe nothing closse." The king regraited to the queene

that he had none about him that were sure. Logie maried the gentlewoman after, when he was receaved into the king's favour againe.

COLONELL STUART AND SPYNIE WAIRDED.

Upon the 15th of August, Colonell Stuart accused the Lord Spynie, brother to the Erle of Crawfurd, of secreit conference with Bothwell. Spynie offered the single combat. A day was assigned. In the meane tyme, the colonell was wairded in the Castell of Edinburgh, and Spynie in the Castell of Stirline.

HACKERSTON AND AIRDRIE TAIKIN.

Upon Thursday, the 7th of September, Captan Hackerston and the Laird of Airdrie, both followers of Bothwell, were apprehended in Leith by the Maister of Glames, brought to Dalkeith to the king, and after they were examined brought backe to Edinburgh, and imprissouned in the jayle, and an assise wairned for them.

Upon the 22d of September, the Laird of Airdrie and Captan James Hackerston being putt to the knowledge of an assise for the Road of Falkland, Airdrie granted he was at the Road, but thralled by the Erle of Bothwell against his will, as he was passing through the countrie to doe his lawfull effaires. The captan confessed he was there to obteane some things of Bothwell, which he had promised to him, but was not privie to his intentioun. They came in the king's will, and were wairded till the king declared his will. The bruite went they had the king's warrant to come in, that they might be led as witnesses against Spynie. They were sett at libertie soone after, as also the Laird of Nidrie, Samwelstoun, Logie, Burlie, Balwerie, little James Hepburne, and the Countesse of Bothwell herself; for she was discharged to come neere the place of the king's residence by the space of two myles. The Laird of Spott and Mr Johne Colvill were still outlawes.

A PREMONITION OF A MASSACRE.

Upon the Lord's day, the 24th of September, after noone, a letter was cast in to the pulpit of the Great Kirk, the tenor wherof followeth :—

"DEERE AND CHRISTIAN BRETHREIN,—Being moved with a troubled conscience to reveele the most dolorous, terrible, and devilish conspiracie, sett doun, devised, and concluded to be executed, by the excommunicated Papists, fained Jesuits, and godlesse atheists, and their confederats in this realme, against all the ministrie and preachers of Christ's Evangell, and all these that are enrolled, to be putt in execution: We thinke ourselves more starke than we have beene, in respect we have joynned with us the great courteours, and these who have the greatest credite in court; the Duke of Lennox, the Erle of Marr, the Lord Hume, the Maister of Glames, whose consciences, I doubt not, have beene and are als heavilie troubled as myne hath beene. Our interprise is to give you the conclusioun of the Read Friers, or, at the least, the cruell and barbarous end of the bankett of Parise, practised by the umquhile devilish Duke of Guise, against the Admirall of France, etc. We have appointed a great number in everie citie and toun, etc., to be executioners of our godlesse and bloodie platt; and these that we cannot be certan and sure of at that cruell tyme, we intend, before hand, to use by craft and policie of justice, ather to charge them to compeere before the Secreit Counsell, etc. At which tyme, my deere brethrein, beware, for, as the old proverbe is, '*Tunc tua res agitur paries cum proximus ardet,*' etc. For we meane to beginne our bloodie deliberated conclusioun with a colour of justice, etc. Our course and platt was devised in Flanders by the Prince of Parma, and the King of Spaine's commissioners. Some of us have imbrought innumerable and hudge summes of money, which are almost obscured, whill our cruell and barbarous intentioun be putt in execution. Wherefore have our diverse con-

ventions beene in the Castell of Edinburgh these manie tymes bygane, but to have the advice of our confederats?

"I beseeche you, deere brethrein, impute nothing to his Majestie, becaus, I assure you, his Grace is als innocent heerof as anie barne: for we lett him to understand that we have a great and weightie turne in hand, both for his honour, weill standing, and utter wracke of all his enemeis in this countrie, when there is no lesse meant than a perpetuall destructioun to the religioun, his Majestie, people, and commoun weale. Credit if yee please; we will promise faire eneugh, when we purpose nothing but to build up our owne standing, etc. We are all Cain's brethrein in our hearts, but rather worse; for he slue but one, but we certanelie deliberat to putt to death thowsands, etc. His Majestie's godlesse, bloodie, barbarous, brigant, and bryberous chamber, (wherunto, alas! his Majestie giveth over muche eare,) is the wracke and destructioun both of religioun, his Majestie, and commoun weale. Therefore, most Christian brethrein, as yee tender, etc., addresse yourselves, ather by some meanes or other, to prevent the samine, or ellis by fasting and praying, etc. Give credit, and esteeme als little heerof as his Majestie did of the advertisement made and affixed upon the chappell doore, before the Road of Falkland, against the colonell, who is one now of our cheefe commanders and executors of our lamentable and dolorous tragedie, in respect he and his wife are persons of executioun, as one of the windowes of Pitfirran could declare, if they could speeke. Alwise this is sufficient for advertisement, credit as yee please.

"Writtin from Dalkeith, by me that nather is willing nor mindefull that the true religioun sould be thus cruellie extinguished, as prooffe sall try; but that ye sould advert to the premisses, as courses sett doun to be performed, if all sall hold that is heght."

Upon Moonday the 25th, Angus and Erroll were releeved out of waird.

A ROAD TO THE SOUTH.

Upon the 9th of October, the king raid to the borders, to apprehend Bothwell. The toun of Edinburgh sent with him an hundreth hacquebutters. Little or nothing [was] done. The king returned with some prisoners, which were wairded into Fife, but were releeved upon the 21st day. Yea, except the Lord Hume had promised to releeve them, they had not come in.

A STIRRE AMONG THE CRAFTS.

Upon Fryday, the 20th of October, the crafts beganne to storme, for the change of Moondaye's mercat to the Wednisday; and the people murmured not onlie for change of the mercat, but also for the collection to the poore, and contribution to big new kirks. The merchants that traffiqued to Spaine bragged they would not desist from careing victuall to Spaine for anie censure of the kirk, and spread some infamous rymes and libells against the ministrie.[1]

[1] The following verses, transcribed from the Cotton MSS., (Calig. D. 2, 27,) and which were thrown into the pulpit in the Great Church of Edinburgh, on the 24th of October, 1592, will serve as a specimen of the libels and rhymes to which Calderwood alludes.

Will Watson's wordes or Bruce's boist availl?
Can Carius or Craige make merchaunts to remaine?
Malcanker's cryes a whitt sall not prevaile;
Balfour may barke, but all wilbe in vayne.
Ye spewe your spites on such as sayle to Spaine,
And lives like Lards by bryberye of the poore:
Howbeit we beg, providinge ye get gayne,
You of your stipendes will not want one stuir, (stiver.)
Ye crye for kirkes, for furnishing of your cure,
Not taking tent howe men may doe the turne.
I feare your falles, your dayes cannot indure,
The best among you wilbe loath to burne.
Ye curse but cause by (beyond) warrant of the Word;
Wee neede not feare the fury of your sword.

What moves your mindes to mell with merket dayes?
What lawe alledge you for such foolish actes?
Your gukket zeale procures our great dispraise,
And heapes contempt and haitred on your backes.

This is, and has beene the religioun of Edinburgh, when they are tuiched in their particular.

SEARCH FOR BOTHWELL.

Upon Fryday, the 3d of November, a great searche [was] made for Bothwell in Edinburgh, in tyme of dinner, and the people wairned to this effect by the knell of the commoun bell. All the bussinesse turned to the committing of two or three wives to the jayle, for recepting some tymes Bothwell.

A CONVENTION OF MINISTERS.

Upon Fryday, the 17th of November, Mr Robert Pont, Mr Andrew Melvill, Mr Robert Bruce, Mr David Lindsay, and some of the king's ministers, were directed to the king. They desired that he would remove the Lord Hume, a professed Papist, out of his companie. He answered, he had no law for him to doe so. They layed before him the dangers hanging over church and commoun weale. He acknowledged them, and condescended to a commissioun to be made to some ministers and others, for taiking up of deidlie feeds among professors; but, as for Glencarne and Eglintoun, he said he could not save them from inconveniences, if they sould be sent for to Edinburgh for that purpose. A weake answere for a king! The brethrein thought good that Mr Robert Bruce and Mr David Lindsay sould travell with them, for an assurance for that end, and that the ministers of the West sould travell with Blaquhan and Gairleis for the like. The king granted

The comon people craves your public wrackes,
Detests your tournes, and damns your divelish deeds:
The divell himself can forge no curster facts;
You are but wolves cladde up in wether's weedes:
Ye looke like lambs, yet in your bosome breedes
A poysoned speare, poore people that perverts.
I hope to see your selves, or else your seedes,
Abandon'd all, like our lawes in deserts.
Ye scorne but Christ, your cuntry, kinde, and king,
Prescribing pointes, as Scribes, in everie thing.

also in words that missives sould be directed to some weill-affected noblemen and barons, to desire them to repaire to Edinburgh, and to winter in it, and to be on the Counsell, to disappoint the designes of the adversareis. Upon the Lord's day, the 19th, Mr William Row, in his sermoun, said, that the king might be excommunicated, incace of contumacie and disobedience to the will of God. Upon Moonday, the 20th, the ministers who were conveened from all parts, meeting in the Little Kirk, named commissioners of noblemen and barons to execute the lawes against Jesuits, excommunicats, etc.; reteanning the most part of these who were in the old commissioun in print, some being left out. The proceedings of the ministers conveened at this tyme, to prevent the dangers imminent to the religioun and professors therof, heere follow, as they were sett doun by Mr James Melvill in his Memorialls.

"*At Edinburgh, the* 15*th*, 16*th*, 17*th*, 18*th*, *and* 20*th dayes of November, in the yeere* 1592.

"The which dayes, the brethrein conveened from diverse parts of the countrie, to foresee and prevent the dangers imminent to the religioun and professors therof, after incalling of the name of God, having communicated mutuallie their intelligences, have found the enemeis of the truthe within this countrie verie diligentlie labouring for subversioun of the religioun, and sindrie cruell and dangerous platts concluded, and intended to be executed with all possible diligence, unlesse the Lord of his mercie disappointed their interprises. For remeed wherof, it is concluded, that there be a generall fast in all the kirks of this countrie, the 17th and 24th days of December nixt, that by true humiliatioun and unfained repentance, the fearefull judgements of God that hang over this land may be prevented."

THE CAUSES OF THE GENERALL FAST.

1. The practises of the enemeis within and without the countrie intending to execute that bloodie decree of the Councell of Trent, against all that truelie professe the religioun of Christ, to the utter subversioun therof, and of the king's estate and persoun, whose standing and decay they acknowledge to be joynned with the standing and decay of religioun.

2. A miserable desolatioun of the greatest part of the countrie, perishing in ignorance through laike of pastors, and sufficient moyen to interteane the Word of God among them, with a carelessness of the magistrats to remeed these misereis.

3. A fearefull defectioun of a great number of all estats in this land to papistrie and atheisme, especiallie of the nobilitie, through the resorting and traffiquing of Jesuits, Seminarie preests, and other Papists, without executioun of anie law against them.

4. The generall disorder of the whole estate of the commoun wealth, overflowing with all kinde of impietie; as contempt of the Word, blasphemie of the name of God, contempt of the magistrat, treasoun, innocent bloodshed, adultereis, witchecrafts, and other abominable crymes.

These causes to be enlarged and eeked by the discretioun of everie brother, according as he sall have sure knowledge and sense of the premisses.

Item, It is ordeanned, that everie presbyterie travell within their owne bounds, to informe the specialls and best affected gentlemen among them of the practise of the enemeis; and to move them to be upon their guarde, and in readinesse, upon advertisement, for defense of religioun and professors therof, and resisting of the enemie; and to take up and compose all feeds, namelie, among them that are true professours, or at the least, assurances, where full agreement cannot be presentlie procured; and to receave their subscriptiouns unto the generall band, at least where it sall be thought requisite, at the discretioun of everie eache presbyterie. And be-

caus the presbytereis underwrittin, for diverse considerationns, crave the assistance of some other brethrein, the brethrein heere conveened have appointed Mr Robert Pont to concurre with the Presbyterie of Aberdeene, for the effect abovewrittin; Mr Robert Rollock, with the Presbyterie of Dalkeith; and Mr Robert Bruce and Mr David Lindsay, with the Presbytereis of the West, for uptaking of the deidlie feeds betweene the Maister of Eglintoun and the Erle of Glencarne, the Lairds of Garleis and Blairquhan, etc.; and to this effect, that they obteane his Majestie's commissioun, and procure his Majestie's commissioners may be directed with them, and they to attend on this, as their leasure will serve. And in the meane tyme, that his Majestie's letters be obteaned, to move the parties to assure; and the presbytereis to travell, so farre as they may, by their owne labours.

Item, That the brethrein acquaint themselves with the historeis of the cruelties of the confederats of the Councell of Trent, practised against the faithfull in other countreis, and informe their congregationns therof; as likewise, of the like crueltie against themselves, if they prevaile in their wicked attempts. And in respect of the subtilitie and secreit craft of the adversars, who now so deepelie have learned to dissemble their proceedings, that speciall sute be made to God in our publict prayers, that the platts and hid practises of the enemeis may be discovered, brought to light, and disappointed.

Item, It is ordeanned, that there be an ordinarie counsell of the brethrein underwrittin, viz., Mrs Robert Bruce, David Lindsay, Robert Pont, Johne Davidsone, Walter Balcalquall, James Balfour, Patrik Galloway, Johne Duncansone, who sall conveene ordinarilie everie weeke once, and oftener as occasioun sall crave, to consult upon suche advertisement as sall be made to them from diverse parts of the countrie or otherwise, and *providere in omnibus, ne quid ecclesia detrimenti capiat.* And for the better executioun of their conclusions, it is ordeanned, that there be an ordinarie agent in Edinburgh to attend upon them, viz., Mr James Carmichael,

till the nixt Assemblie Generall, whose office sall consist in thir points following:

Imprimis, He sall travell diligentlie by all meanes to be informed of the practises of Papists, as by merchants and passengers comming from other countreis, and all suche as from anie part of this countrie resort unto Edinburgh; for the which caus also, the ministers in everie part are commanded to make carefull advertisement of all kinde of practises against the religioun; of all Papists, Jesuits, and recepters of them within their bounds; and all other weightie enormiteis that sall fall out, and come to their knowledge, and that in forme as after followeth:

Mr Andrew Carnbie and Mr George Munro for Rosse, Mr Thomas Howesone for Innernesse, and Johne Forester for Forresse, sall send their advertisements to Mr Alexander Dowglas, minister of Elgine.

Mr Alexander Douglas for Elgine, sall send to Mr Peter Blekburne, minister at Aberdeen; Mr George Hay for Bamf, Mr James Duff, and Mr Gilbert Gairdin for Strabogie, Mr Johne Strauchan for Marr, Mr George Patersone for Garioch, and Mr Duncan Davidsone for Deer, sall send to Mr David Cunninghame, minister at Aberdeene.

Mr Peter Blekburne and Mr David Cunninghame sall send their advertisements to Montrose.

Mr Andrew Mylne for Mernes, Johne Durie for Brechin, Mr Arthure Futhie for Arbrothe, Mr James Nicolsone for Meigle, sall send to William Christesone, minister at Dundie.

William Christesone sall send to Mr Adam Mitchell, minister at Cowper, and Mr Adam to Mr Thomas Biggar, minister at Kinghorne, and Mr Thomas to Mr Walter, minister at Edinburgh.

Mr William Glasse for Dunkelden, sall send to Mr Johne Malcolme, minister at Perth.

Mr Johne Malcolme, to Mr Walter at Edinburgh.

Mr William Stirline for Dumblane, Mr Patrik Simsone for Stirline, Mr Johne Spotswood for Linlithquo, Mr Adam Johnstoun for

Dalkeith, James Gibsone for Hadintoun, Mr Robert Hepburne for Dumbar, Mr Archibald Dowglas for Peebles, Johne Clappertoun for Huttoun, Mr William Methven for Dunse, Mr Johne Knox for Melrose, Mr Andrew Clayhills for Jedburgh, Mr Hugh Foullertoun for Dumfreis, Mr David Blythe for Kirkudbright, Mr James Davidsone for Wigtoun, Mr Andrew Hay for Glasgow, Mr Robert Darroch for Hammiltoun, Mr Robert Lindsay for Lanark, David Fergusone for Dumfermline; all these sall send their advertisements directlie to Mr Walter Balcalquall in Edinburgh.

Johne Porterfeild for Air, Mr Robert Wilkie for Irwing, Mr Johne Rosse for Dumbartan, Mr Andrew Knox for Paisley, sall sende to Mr Andrew Hay in Glasgow, and he to Mr Walter in Edinburgh.

Mr Andrew Melvill for St Andrewes, Mr Thomas Buchanan for Cowper, sall send to Mr Thomas Biggar, minister at Kinghorne, and he to the said Mr Walter; and last, Mr David Spence for Kirkaldie, to the said Mr Walter.

Providing, that if anie of the above writtin brethrein have the commoditie of a trustie bearer otherwise, or if the mater be of suche weight that it will not suffer delay, in that cace they sall send to Edinburgh, to the said Mr Walter, immediatlie. And to the end that the foresaid brethrein may have the more sure intelligence, it is ordeanned that everie brother within the presbyterie sall give them sure informatioun at all occasions needfull.

Secundlie, After the said agent sall receave these intelligences and advertisements, he sall, at the first meeting, communicat them to the counsell of the brethrein; and if the mater require haste, the agent sall conveene the councell for that office; and being found by them to require further advice of other brethrein, the said agent sall convocat them by his letters, according as he sall receave directioun from the councell.

Thridlie, Whatsoever sall happin to be concluded to by the councell of the brethrein to be suted at his Majestie's councell, sessioun, proveist, and bailliffes of burrows, or barons, or others whatsomever,

the said agent sall attend faithfullie and diligentlie for executing therof, and report his diligence to the councell.

The said agent sall seeke out and extract all letters, acts, and decreits, concerning the caus committed to him, as they ought to be, and to communicat them, together with the conclusiouns of the councell, to suche presbytereis and parts of the countrie as the councell sall direct, according to the forme, and by the persons above writtin, *ordine retrogrado.*

The said agent sall write the memoreis of the kirk's proceedings and deallings with the prince, counsell, and estats of this realme, from tyme to tyme, since the reformatioun of religioun, to be a monument to the posteritie. And to that effect it is ordeanned, that from all presbytereis, scrolls, writts, and anie peeces that are in the holding of anie brethrein, sall be directed to Mr Walter Balcalquall, to be delivered to him ; and, likewise, all proceedings and dealings which the kirk sall have with the king, to be noted by him heerafter, etc.

Item, It is ordeanned, that there be a commoun purse, for furnishing of necessarie expences for the effaires foresaid, without the which they cannot take effect. And that for the present, Mr Robert Bruce, with suche as he thinketh good to adjoyne to him, sall meane the want of these commoun expences in so dangerous a tyme, to suche men of all estats as he knoweth to be weill affected, that by their liberalitie this want may be suppleed, untill some good ordinarie meane be found out for that effect; and that the summes collected be putt in a boxe, wherof there sall be two or three keyes, in the hands of two or three brethrein of the counsell, who sall deburse therof as the said counsell sall command them.

Item, It is ordeanned, that the said counsell sall travell earnestlie with his Majestie and Counsell, that the articles following may be granted :—

That his Majestie, by publict proclamatioun, make his good affectioun toward the religioun and professors therof knowne to the whole subjects, and promise to mainteane and defend it against

all enemeis without and within, to the uttermost of his power; and that he accompt all the enemeis therof to be enemeis of his estate and persoun, and of this commoun wealth: Charging, heerefore, his whole subjects to joyne themselves in an unitie and professioun of the true religioun professed within this countrie, and subscribe the generall band for the maintenance therof, against whatsomever enemeis, which sall be presented to them by the ministrie.

That a commissioun be granted to a certan of the best affected noblemen, barons, and gentlemen, and magistrats within burghs; that is to say, to the proveist and bailliffes of everie burgh within their bounds, and liberteis therof; Robert Erle of Orkney, James Lord Zetland, Michael Balfour of Monquhanie, for Orkney, etc., to execute all acts of Parliament and Counsell, against whatsomever Jesuits, Seminarie preests, excommunicated and traffiquing Papists and their recepters, and to caus make wapoun-showings, and to conveene the countrie in armes at all occasiouns needfull, for defence of the true religioun, and resisting the enemeis therof.

That a sufficient number of the wisest of the noblemen, barons, and best affected to religioun, his Majestie's estat and standing, and the weale of this commoun wealth, be appointed upon the Secreit Counsell, and make their residence in Edinburgh this winter, and farther ay, whill the conspiraceis, platts, and attempts of the enemeis of religioun within this countrie be disappointed and repressed.

That all Papists and practisers against the religioun be removed from his Majestie's companie, and debarred from all publict charge, commissioun, lieutenantrie, or publict office.

That all skippers and maisters of shippes sall present to the magistrat and counsell of the place where they sall arrive, all passing merchants, and others that sall come within their shippes; who sall give their conscience and oath of all persons, and packets of letters or bookes whatsomever, which they have receaved at anie part since their departure, to be delivered to anie person or persons, or delivered packets, or bookes, coffers, or kists, to anie whatsomever, under paine of confiscatioun of shippes, goods, and geare.

That a commissioun be givin to the persons underwrittin, viz., * * * * * to sett doun a constituted forme of provisioun of ministers' stipends, at everie congregatioun within this countrie; and that to be ratified in Secreit Counsell, Checker, and Sessioun, to have the strenth of a law, whill the Parliament, and then to be ratified by the whole estate.

Last, It is ordeanned, that there be a Generall Assemblie at Edinburgh, the 9th of Januarie nixtocum, incace the Parliament hold; and if the Parliament be continued, that the Presbyterie of Edinburgh give advertisement therof to the brethrein of all presbytereis, that they make no waist travell.

And these things devised by Mr Andrew Melvill, with the rest of the brethrein, Mr James Nicolsone and Mr James Melvill were ordeanned to penne and sett in order.

OPPRESSION IN THE NORTH.

In the meane tyme, the Erle of Argile, Atholl, the Laird of Grant, Malcolmetoshe, made great heirship and wracke in the Erle of Huntlie's lands, for the Erle of Murrey's slaughter. The king sent William Erle of Angus as Lieutenant to the North, to stay farther oppressioun.

CAPTAN JAMES STUART SENT FOR TO COURT.

Upon Moonday, the 27th of November, Captan James Stuart, some tymes Erle of Arran, came to Edinburgh, being writtin for by the king to come to court, which weakenned all sorts of people. He came to give articles and points of dittay against the Chanceller and the Lord Hammiltoun, as he had done before against the Erle of Morton. The ministers of the Presbyterie of Edinburgh agreed among themselves, that none sould specke with him without consent of the rest: that Mr Robert Bruce, Mr David Lindsay, and Mr Patrik Galloway, sould goe to the king, sould show unto him the discontentment of the godlie, and to urge his departure out of

these bounds with expeditioun. Mr Robert told them that the king would have sent a macer for him, for recepting of my Lord Bothwell in his hous, as he alledged, if my Lord of Marr had not stayed him. The brethrein to whom he communicat that mater thought good that Mr Robert sould not seeme to take notice of that mater, except he were sent for publictlie.

Upon Fryday, the first of December, Mr Walter Balcalquall, in his sermoun, painted out Captane Stuart in his colours. He recompted what mischeefe he had done before; how he had abused the king, the nobilitie, and other subjects: he assured them that brought him in, they sould find the first dint of his battoun. Now, the Duke of Lennox was the cheefe worker of his bringing in. After noone, the proveist, bailliffes, counsell, and ministers, were called to court. The king charged Mr Robert Bruce with harbouring of Bothwell. He denyed, and craved an author. Sindrie were promised, but none were found. The king reproached the proveist and bailliffes bitterlie, for suffering Bothwell, his tratour, to lodge in their toun, when he was chassed out of all parts of Scotland. They alledged ignorance, and promised diligence in tyme comming. The ministers were reproved for passing him over with silence in their sermouns, and inveyghing onlie against Huntlie and Captan James. They referred themselves to their auditors. The Erle of Morton bare witnesse to their faithfulnesse and honestie in that cace. They were desired to make mentioun of him the nixt Sabboth in their sermouns, in a reproachefull maner, and to dehort all men from societie with him, or interteanning of him; which they did. The king upbraided the ministers for manie things, and, among the rest, for Captan James, saying, if they had beene als long whipped with afflictioun as he was, they would not have beene so outrageous. As for their slipping away into England, he said, the wives of Edinburgh made them too wantoun and wealthie. "Mr Walter," said he, "had more wealthe in a monethe in England, than in Scotland in a yeere." The king said, Stirling Road would be yitt layed to their charge, and that he might, and would use them when need were, to punishe, as

other subjects; nather thought he that they could find the contrarie in all their New Testament. He checked Mr Walter for prattling, as he called it, that day against Captan James. Mr Walter defended himself.

Upon Saturday, the 2d of December, after noone, Captane James went doun to the Abbey, accompanied with the Lord Uchiltree, the Laird of Blairquhan, and a great number of others his favourers. He gott incontinent favourable accesse to the king.

Upon the Lord's day, the 3d of December, Mr Johne Davidsone preaching upon the thrid of Exodus, upon the constancie of Moses and Aaron, and replying againe to proud Pharao's resolute answere, he shewed what was the duetie of the servants of God in following their exemple, speciallie now, when men are so stiffe to leave the courses against God. He discoursed upon the obstinat course of the enemeis of Christ in Scotland, and how God's servants ever withstood them to their faces; beginning at the Queene Regent, and comming to Queene mother, and after her to some regents, and then to the Guises' course in Aubigney, and the tenour therof to this day:—"Which appeareth now," sayeth he, "in bringing backe Captan Stuart, to continue the same course." He painted him out at lenth, and protested he did it not for hatred of his persoun, for whose wealefare in Christ he could bestow his life; ("suche is my love," said he, "to the hous wherof he is come;) but for the hatred of his vice, which I hate as the devill." He told the auditorie what the king had promised; "but," said he, "I am beguiled, if his spirit will be so rainged in order, if he gett audience at court." Bringing in the historie of Absalom, Joab, David, and the wife of Tekoah, he layed furth the nature of the captan, and his maner of bringing in, that it seemed to tend to his preferment, contrarie to the pretended promise. Mr Robert Bruce following after, said, that the defenders of Moonday's mercat, and traffiquers with Spaine, had now gottin a captan. These were the men in Edinburgh that countenanced Captan James. Mr Walter Balcalquall, Mr William Watsone, and William Aird, were vehement against him after noone. Mr Patrik Galloway likewise, in

the king's owne presence, said, the king had now gottin about him all the skumme and verie ofscourings of the wicked, if that man were once in; and that the king could not continue in sinceritie with suche companie as he had, if he were an angell of heaven. Mr Robert Bruce and Mr Walter Balcalquall, as the king had requeisted, inveyghed against Bothwell, and desired all good Christians to forsake him.

Upon Tuisday, the 5th, the Lord Uchiltree made sute to the presbyterie, that Captan James might have privie conference with some of them, which was denyed. Publict conference by pluralitie of votes was granted. He presented himself after noone, accompanied with Uchiltrie, Phairnihurst, etc., and desired to be heard. He made a long harangue of manie maters in generall and particular, without acknowledging anie offence, or shewing anie tokin of repentance, save that now and then he said, "Perchance I have offended in some thing." He desired they might have a better opinioun of him, than to cry out upon him as they had done, for the which he would not querell them; alledging that he was not to beare the blame of all things wherewith he was charged, seing they were done by the advice of twentie-eight counsellers; and, therefore, desired their Honours' favours, (so he spake,) that he might attend upon his effaires, offering himself to obey them in all things that they would injoyne unto him, and that he would never be drawin from the defense of the true religioun, for ought that could be. Manie suche faire words he had. He was removed. It was concluded he had showed no offers of repentance, as the kirk looked for, and, therefore, they were to continue in their former opinioun; besides, that that mater concerned the whole Generall Assemblie, and, therefore, they ought not to deale farther therin, but to referre it therunto. He said it was reasoun, and beganne to breake up manie particulars concerning the Erle of Morton's death, the Laird of Maynes, etc. The brethrein answered they could not enter into these or the like particulars. He craved privat conference with some brethrein. It was answered, they would appoint none to that purpose: if anie would conferre with him, lett him be answerable to

the Assemblie. Sua he was dismissed by Mr Walter, moderator, with this generall answere, "Yee must give us als good prooffe of your weill doing as yee have givin of your evill doing, before we can credite you muche." So Captan James, finding so great oppositioun, went home, and came not to court again.

MR R. BRUCE CALUMNIATED.

Upon Fryday, the 8th, some of the brethrein went doun to the king, to urge a prooffe of the treasoun that was layed to the charge of Mr Robert Bruce, James Gibsone, Mr Andrew Hunter, etc. The king would have the mater past over. They still urge tryell. Thursday come eight dayes was appointed for the production of accusers, speciallie the Maister of Gray and Thomas Tyrie.

Upon the Lord's day, the 10th, Mr Robert Bruce teaching upon 1 Sam. xii., said, the king was envirronned with leers for the most part, and that he would superseed from preaching till he were purged of that haynous accusatioun which was layed against him, viz., that he and others had conspired to take the crowne off the king's head, and putt it on Bothwell's. The presbyterie, the kirk-sessioun, the counsell of the toun, urged by their letters. The Maister of Gray in the meane tyme promised Bothwell to gett him the king's favour. But Bothwell fearing his treacherie, disappointed the tryst appointed betuixt them. The Maister of Gray disappointed of his intentioun, and having disappointed the king of the promise he made to him, left the court for shame, and went home, denyed all accusatioun of Mr Robert Bruce, and offered to fight his honest querell in that behalfe with anie man, but with the king; which was testified by a letter from Mr James Robertsone, and other brethrein in these parts where he dwelt. Upon Thursday, the 14th of December, Mr Robert Bruce being accompanied with the sessioun of the kirk, and other zealous professours, went doun to the palace. There was no likelihood of anie accuser to be produced against Mr Robert. The king would have had the mater buried, and mislyked that Mr Robert insisted so farre in that

mater: but the counsell, and sessioun of the kirk of Edinburgh, urged his tryell for purgatioun. Howbeit, their bills were not read, yitt promise was made to doe it the nixt day, and so the mater deserted.

THE KING HIGHLIE OFFENDED AT MR DAVIDSON'S REPROOFE.

The fast beganne upon the Lord's day, the 17th of December. Mr Johne Davidsone preaching in the East, or Little Kirk of Edinburgh, in the morning, said, that since Aubigney's comming thither, the king had receaved infectioun, and if he vomited it not out, he would not escape severe judgement; and that the corps, meaning the Erle of Murrey's wounds, cryed to the Abbey all this while for justice, but nather the living nor the dead could procure justice to be executed, howbeit great severitie had beene used against the servants of God. The king swore that night that he sould not be suffered to teache longer in Edinburgh. The duke would needs slay him. Upon Thursday following, the king aggredged these speeches to the provest, counsell, and ministers of Edinburgh; that he had cryed out against a dead man, and called him whom he had raised to the honour of a duke, contempteouslie, Monsieur Aubigney. "I mervell muche of him," said the king, "for I heard once that he was one of the cheefe theologues in Scotland, learned and weill approved both at home and abroad, and that he had some prooffe of him in privie conference; but now," said he, "I cannot tell how he is become so phrenetick, that he did nothing but make placats and ballats, wherof he had sindrie to show, and that all his teaching was turned into railing against him and his estat." He asked the provest if he was their ordinar minister? He answered, Not. Then said the king, "What did he there?" He answered, "The sessioun of the kirk had a warrant to appoint whom they pleased at that houre." "If yee avow him to be yours," said the king, "yee sall answere for him; if not, I will not suffer him to byde there." The ministers desired the king to suffer the kirk to take order with him. Mr Davidsone preaching the nixt day, to witt,

the Lord's day, the 24th, in the morning, made his apologie for the last Sabboth daye's speeches, with some additioun, protesting he loved the king his weelefare, both in soule and bodie. He repeated the similitude he had the Sabboth day before, to witt, that honie slipped doun to the bottom of a sore, and did byte als muche as anie liquor, and yitt ceased not to be sweete. The ministrie were to meete, to consult what sould be done concerning the warranting of his calling, without irritating the king. But their consultatioun stayed upon his owne overture; for after two or three sermouns he was to desist, by reasoun of the seasoun of the yeere, and his owne infirmitie. Alwise, after this time, the ministers of Edinburgh, and the cheefe of the citie, miscontent with his rough applicatioun, laboured to be ridde of him, and he himself was als willing to remove from them, as we sall see following in the progresse of the Historie.

MR GEORGE KER APPREHENDED.

The fruict of this solemne fast, which was keeped in December, kythed immediatlie by the discoverie of a strange conspiracie. A certan young gentleman, named Mr George Ker, brother to Marke Lord Newbottle, being readie to make for the saile out of Fairlie Raid, at the West Sea Banke, his speeches were taikin heed to, and he perceaved to be a Papist passing to Spaine, to traffique betuixt the King of Spaine and some Scottish noblemen. Mr Andrew Knox, minister at Paisley, accompanied with some schollers of Glasgow, gentlemen's sonnes, and other freinds, apprehended him upon the 27th of December in the Yle of Cumra, before Boote, when he was readie to embarke, searched his coffers, found diverse letters and blankes directed from George Erle of Huntlie, Francis Erle of Erroll, and William Erle of Angus, the Lairds of Auchindoun and Fintrie, and other practisers, some in Latine, some in Frenche, together with their caschets and signets. The blankes were to be filled up by Mr William Crichton. The Lord Rosse brought him to Calder, and there stayed for a greater convoy. Some of the

magistrats of Edinburgh, accompanied with some citicens, went to Calder upon the last of December, accompanied with 60 horsemen and 200 footmen, and brought him in to Edinburgh that night, betuixt sevin and eight, and wairded him in the Tolbuith.

The letters intercepted with Mr George Ker heere follow. For the understanding of the borrowed and counterfooted names, the interpretatioun is sett doun in the margin, according to the depositiouns of the practisers, and the meaning of other intercepted letters.

A LETTER DIRECTED FROM AN ENGLISH JESUIT, AND INTERCEPTED WITH MR GEORGE KER, THE 27TH OF DECEMBER, 1592.

"GOOD FATHER,—The enclosed to my Lord, I pray you read, and take it as writtin to yourself. What I write to him I write to you; what I crave of him I crave of you; what I hope of him I hope of you, as of my patron and pedagogue *in spiritualibus*, as of a man whose discretioun and moderatioun I have weill experimented in all caces, and at all tymes. If I had so farre overlasched, and gone beside my compasse, as some good fellowes would imagine, yitt I wonder that some good men, both in their owne conceats, and other meanes spirituall, will admitt no excuse, no satisfactioun, no purgatioun, when St Paul to the Galatians, in most evident delicts, setteth doun this rule amongst the perfect and spirituall: '*Fratres, et si preoccupatus fuerit homo in aliquo delicto, vos qui spirituales estis hujusmodi instruite in spiritu lenitatis, considerans te ipsum, ne et tu tenteris.*' If I had spokin with you at my last being in Italie, as I weill hoped, I had perhaps made a better conclusioun of my businesse there than I did, to my owne content, and all my freinds' satisfactioun, which hope, for all these stormes, I will never give over; and when I leave by your meanes to be under the good habering, I will write to you of that subject. The Lord Setoun, in whose hous I sojourn sometimes, salutes you. Of the effaires of the Catholicks heere, I leave it to them to write and relate, by whose meanes these letters sall be convoyed. My Lord

Setoun has an haven of his owne, which may be heereafter verie commodious for our missiouns. Commend me, I pray you, to F. Barth., Pere, etc. Mr Dudley Ilper, knight, and Johne Thules, which, upon some suddane pushes of persecutioun, make their repaire hither, are in health, and salute you. And Master Syall, a preest, died heere latelie in Edinburgh. Love me, and pray for me, I beseeke you all, *solito;* and if you send anie into these parts, lett them come furnished with als ample faculteis as you may. Lett them enquire for one Mr Jonas, which will be a token betuixt us. Our Lord blesse, and send us to meete once ere we dee.

"Setoun, this 2d of October, 1592.

"Yours ever most assured,

"JOAN. CECILIO."

Blanke on the backe.

A LETTER DIRECTED FROM THE ERLE OF ANGUS, ALL WRITTIN AND SUBSCRIBED WITH HIS OWNE HAND; INTERCEPTED WITH MR GEORGE KER, THE 27TH OF DECEMBER, 1592.

"My most affectioned commendatiouns premitted. This present is onelie to know of your weelfare and freinds, and of the estat of maters where yee remaine, and to be a testimonie of my good affectioun towards you; for, God be praised, if yee were in this countrie, I could doe you greater pleasure nor I was able to doe before, albeit good will enlaiked not at no tyme, as yee know. The present bearer (*George Ker*[1]) can informe you of suche things as occurre with us, for we are heere daylie subject unto alteratioun. Yee may credite him as myself, for so his vertues doe merit. It is not needfull I trouble you with his recommendatioun, seing he is to you that he is. Yee know his honestie and good intentioun, and the causes of his parting, to whose sufficiencie referring the rest. My heartie salutatiouns and my bed-fellowe's, with all our com-

[1] The marginal notes are in italics, and within parentheses, as before.

panie, young and old, remembered unto you, and your good companie; committs you with them to the protectioun of God.

"Edinburgh, the tenth of October after our compt, 1592.

"Yours ever at power,

"ANGUS."

Blanke on the backe, (to Mr William Crichton.)

A LETTER DIRECTED FROM MR JAMES GORDOUN TO MR WILLIAM CRICHTOUN; INTERCEPTED UPON MR GEORGE KER, THE 27TH OF DECEMBER, 1592.

"TRAIST FREIND,—After most heartilie commendatiouns. Your freinds that are heere have directed this present bearer (*Mr George Ker*) to you, for full resolutioun of all your effaires in thir quarters. We have delayed overlong I grant. But he will show you the caus of all. The nixt best is, yee use all expeditioun in tyme comming, against the nixt sommer, otherwise yee will tyne credite heere with your factours. If yee come, yee will find moe freinds nor ever yee had; but, otherwise, yee will find fewer, beaus the nixt sommer manie are bowned to other countreis, and will not abide on you no longer. Haste home heere some word to your freinds, that we may putt them in good hope of you, and they will tarie the longer. The bearer is an honest man, and verie sufficient: yee may credit him as myself. I sould have come with him myself, were it not I was perswaded that yee would remaine on our answere, and becaus I gott a stop out of Flanders, as the bearer can shew you. Yee have gottin all that yee desired, (*relative to the blankes;*) therefore make haste. The bearer is come to you on his owne charge, therefore, yee must have respect to him. The last bearer that yee sent came heere behind the hand, and has gottin na satisfactioun as yitt, becaus nothing could be gottin heere, and we could finde no man but this that would passe on his owne charge. And I feare, that if he had not come on his owne ex-

pences, yee sould not have receaved answere so soone. Therefore, yee sould treate him the better. We will abide heere yourself shortlie; and I would yee brought the rest of your freinds with you that are beyond sea, (*the Spanish armie.*) For if your blocke passes fordward, they must be also present; otherwise, we must come and visite you. All other effaires of this countrie I will committ to the bearer, who is faithfull. Your wife (*the Catholick Romans and their confederats*) and your bairnes commend them to you, and looke to see you shortlie. If I, or Sandesone, (*Mr Robert Abircrumbie,*) your freind, receave anie silver from the bearer, yee sall be advertised by another ticket how muche it is, and subscribe it with both our hands. The rest I will referre to the bearer. God preserve you ever from all evill.

"At Dundie, the 20th of November, 1592.

"Yours most affectioned at all his power,

"J. CHRISTESONE," (*Mr James Gordoun.*)

Directed on the backe,

"*To his assured Freind, George Crawfurd,*" (*Mr W. Crichton.*)

A LETTER DIRECTED FROM MR ROBERT ABIRCRUMBIE TO MR WILLIAM CRICHTON; INTERCEPTED WITH MR GEORGE KER, THE 27TH OF DECEMBER, 1592.

"After my due and humble salutatiouns and offer of service, I regrait and lament heavilie the sleuth and negligence your merchants have used in answering of your last sute ye propouned to them; for appearandlie, if they had made answere in due tyme, our wairs had beene heere in due tyme, with our great profite and consolatioun. The stay and stoppe of the mater, appearandlie, was laike of expences, that no man could, of his owne charges, take that voyage in hand; yea, some craved a thowsand crowns for his expences. So the mater was once whollie givin over, and almost cleene forgot, untill it pleased God, of his Divine providence, to stirre up this bearer to take the turne in hand, on his owne ex-

pences; as he has beene ever bent in that caus, not onlie to spend his goods, but also the thing that is more deere to him, that is, his life. Therefore, I thinke he sould be the more acceptable, as also for the affinitie of his blood; for both his gooddames were Crichtons. And as for witt and abilitie of treatting of these affaires, he is not inferiour to none of your merchants which yee desired, as yee will perceave by experience, God willing. And albeit that he, of his courageous liberalitie and zeale to the caus, has tane the mater in hand on his owne charges, yitt all your freinds in these quarters thinke it verie reasonable, that all sould be refounded to him againe, *cum usura*, with promotioun, till anie other accident sould fall out, for the weale and furtherance of this caus, etc. But now I will say one word of him, and syne come to some other purpose of our owne. If I had a thowsand tongues, with als manie mouthes, with Cicero's eloquence, I cannot be worthie eneugh in commendatioun of this gentleman to you and all your companie, as I sall lett you understand, God willing, if ever we sall chance to meete face for face.[1] And, therefore, whensoever yee may prevent him with anie benefite, ather by yourself or anie other, abide not whill he crave it at you; for he is the worst asker in his owne caus that ever yee conversed with. *Sed nunc ad alia.*

"If yee be right remembered, at your departing out of this, yee gave Mr James Mackartney a procuratorie, to intromett with Mr Alexander Hume's little living he has heere in East Lothiane, the which he pleaded and obteaned in law, and tooke up yeerelie rents therof to his owne behove, and gives his none of it. In this meane tyme, there fall out suche cummers tuiching that land, that we are able to lose the haill wair first. The said Mr Alexander's neerest freind and heyres has in judgement proved him to be deid, and so enters heyres to him. By this the Laird of Spott, his overlord, is forefaulted, and so the land wairds, so that we are able to tyne all, if remedie be not found. Wherefore, falling in consultatioun with Mr Alexander King, he thought best to sell the land to him, and we to use the silver in a more sure maner, of the which yee sall re-

[1] The hyperbolicall and ridiculous commendation of Mr George Ker.—*Note in MS.*

ceave some writtings[1] from this bearer, the which yee will understand better nor I. Onlie I thinke, if forme of moyen be not used, we sall lose all: and better it is to have some thing nor lose all. As to the price, sett yee it doun, for he has mentionned none as yitt: but he will give als muche as anie other, becaus, as he sayes, he has some land lying contigue to it. I pray you for an haistie answere of this. I doubt not but yee have heard how the young men, whose father was slaine by the Laird of Ruthvenis, slue him againe, whose ladie is maried to one James Reid. Camnay is come in the constable's hands, and your nephew is privat of it; and that by the moyen, I trow, of Abraham your brother; but your mewche is little better nor begging. Drumkilbo is deid, and Thomas Tyrie is tutour. I pray you advertise me by what maner Mr Stevin Wilsone has come by my Lord Livingstoun's obligatioun, the which he had of the fourtie crownes his lordship was owand you; for Mr Stevin has gottin these fourtie crowns, randering the obligatioun which yee had. I durst never make mentioun of the hundreth crowns from the father, and fourtie crowns from the sonne, which ye left me power to crave, etc. My Lord Livingstoun has departed off this world. Yee heard before, that David Forrester (*David Graham of Fintrie*) had a sonne, and now has another, borne in the Castell of Stirline, where he is in waird, hardlie handled. There is but one of our nobilitie heere, which has of the King of Spaine a pensioun, weill payed, of twelve hundreth crowns; the which apparentlie are evill bestowed, for he, nor none of his, as yitt, have never done anie kinde of good in the promotioun of the king's maters.[2] Wherefore, suche pensiouns were better bestowed on others, who travell daylie and hourelie, putting to the hazard both their goods and lives, as this bearer has done and daylie does, and others, as he can shew you, etc. Because I have no other thing

[1] Thir writtings, intercepted with the rest, are, a Charter and Obligation, to be past by Mr Alexander Hume of Palywel, to Mr Alexander King, his heyres and assigneyes, of four husband lands in the lordship of Spott, with a missive letter directed by him to that effect.—*Note in the MS.*

[2] Invy among the Papists themselves.—*Note in the MS*

to write, and have beene long eneugh, I commend me to your prayers, and you to God.

"At Scotland, the 15th of December, 1592.

"Yours at his power,

"ROBERT SANDESONE," (*Mr Robert Abircrumbie.*)

Directed on the backe,

"*To his trust Freind, George Crawfurd,*" (*Mr W. Crichton.*)

Beside these letters which are extant in print, in a booke intituled, "A Discoverie of the unnaturall and traterous Conspiracie of Scotish Papists against God, his Kirk, their native Countrie, the King's Majestie's Person and Estate," I have heere subjoynned other letters, which were not printed.

"*To his verie good Freind, William Craig.*

"TRUST FREIND,—After my verie heartlie commendatiouns. Becaus I receaved your verie loving and heartilie letter, I will meete the same with thir few lynes, albeit the sufficiencie of the bearer might serve to acquit me of this part of my duetie, and that our letters be of small consequence. Alwise, the paines which yee desired me to take for you, sall be accompted by me as my duetifull duetie; for in your so just and honest caus I will bestow my life and all that I have. Your advertisement has beene long in comming, and this bearer being boun for the way, makes you all the helpe the shortnesse may permitt for the present. If my freinds heere find my comming to you necessar, as the bearer can shew, I sall be readie when they please. In the meane tyme, I doubt not, but, unremembered by me, yee will consider the earnest good will of the bearer in your turnes, and make him by your earnest moyen to receive suche countenance and favour, as suche a worthie person meriteth, to the honour of the honourable personages he has to doe with, and to the encouragement of others that merit not so muche; as he hath, indeed, not manie marrowes to my opinioun.

Your judgement needs no information, to make it capable to discerne of anie man that merits. Farther, I remitt to the sufficiencie of the bearer, who can shew you how readie I am at the desire of your letter, if it be thought necessar. So committs you to God.

"From Edinburgh, the 12th of June, 1592.

"Your affectioned and loving freind,

(*Sic subscribitur*) "JOHNE CARGILL."

"*To his trust Gossop, Thomas Andersone.*

"GOSSOP,—After most heartilie commendatiouns: I receaved a letter of yours, the last Januar, but no answere as yitt to my other two former letters; yitt I abide daylie some answere of the same from you. The bearer of this present can shew you all that heere occurreth; whom I pray you credit, and interteane as my self; for both I, and the rest of your freinds that are heere, have beene verie greatumlie addebted unto his kindenesse. So I will pray you to be kinde unto him, and give him your good counsell and helpe as farre as yee may, in all things that he desires of you; for I am assured that his desire will be verie honest and reasonable. And if yee please to send anie word heere to your freinds, yee may assuredlie credit him in all effaires; for we have found him ever verie honest. And, therefore, if he happeneth to come where yee are, I pray you both to treat him weill, and to make his acquaintance and recommendatioun to your freinds that are in your parts, with whom he is not acquaint. All other things I will referre to his credit. So I will pray the Eternall God to preserve you ever from all evill.

"At Dundie, the first of Julie, 1592.

"Your most affectioned gossop at command and service,

"JAMES CHRISTESONE."

" To my verie good Freind, William Heriot.

" Right Honorable Sir,—My due commendatiouns being premitted: Your freinds which are heere thinke verie long for you. And, therefore, understanding that the bearer of this present was perhaps to come where yee are presentlie, I thought good to putt you in remembrance of your old freindship. I doubt not but yee have heard that Thomas Abercrumbie, your good old freind, is passed from this life to a better. Mr Alexander Leslie is mirrie, and would be glade to know of your weelefare. The other goodman who passed to Sutherland with us is long since maried, and his wife has borne him a man-childe, God be praised. As to all other particular effaires that heere occurre presentlie, the bearer of this present can declare at lenth; for he is a verie honest man, and a great freind to all us that apperteane heere unto you; whom we have found ever both honest and constant; and, therefore, I will pray you, in our most affectioned maner, to helpe him with your assistance and good counsell, and to make his acquaintance with some of your freinds, which may further him, as he sall charge you. For he has beene ever a verie good freind unto me, and I doubt not but yee will doe something for my requeist. And when yee come nixt to Sutherland or Cathnesse, where I am now boun to, I sall convoy you there, and shew you how yee sall speede better nor yee did the last tyme yee were there. God preserve you from all evill. In all other things give credit to the bearer.

" At Dundie, this first of Julie, 1592.

" Your most affectioned freind at command and service,

" James Christesone."

" To his beloved Brother, Johne Chisholme, Gentleman, for the present with his Brother, in Vaizon.

" Cousin,—After all humble commendatiouns: I receaved onlie one of yours thir two yeeres bygane, dated the 14th day of Novem-

ber, 1591, and came not to my hand untill the 10th of Junie, St Laurence day. I followed ever your directioun to Flanders, as otherwise, mervelling the occasioun of your tinsell. I shew your brother Thomas, anent your adoes, as anent your clothing, who will answere to yourself. I thanke you of all your commendatiouns from all these in Vazon, as of your kines Robert's mariage; in recompense of that I have writtin at lenth to my lord, your brother, as manie other things, not doubting but his lordship sall give you inspectioun therof. Your commendatiouns I have made to all these of Dumblane yee desired me to doe; as the person and his wife redoubles these manie unto you: the Ladie Rickarton and her daughter, a worldlie woman, and manie bairns. Good Sir William Blaikwod, his brother, and his wife, Johne Moresone, and William Moresone, rest with God, with manie others in that toun. Your brother would be faine to visite you, but I cannot see his ladie agreeable thereto. I wrote sindrie and manie tymes unto you, to have desired you to write to your brother Thomas, to have pleasured me, in my necessitie, with some of the worst of your clothing, rather not to spill; and at meeting I sould have pleasured you with als good againe. Yitt, if yee please, yee will doe. Not longer to trouble you presentlie, but my humble commendations, with service to the lord my brother, and as occasioun sall serve, will write unto his lordship, how soone I understand to what place I may surelie direct them to, as I would have done at this present, thinking that this present will not be tane in ill part. So, with my right heartilie commendatiouns to all these in Vazon yee made mentioun of to me, that in this present they be not forgott, as to Alaster and his bairnes, and to Jacques Gasparet in Criset; to whom, with you, committs to the protection of God.

"Off Edinburgh, the penult of August, 1592.

"Your cousine to be commanded with service,

(*Sic subscribitur*) "JOHNE CHISHOLME."

"*To his trust Freind, Robert Sandersone.*

"TRUST FREIND,—After most heartilie commendatiouns. Having the commoditie of this bearer, I thought good to lett you know I came heere yestrein. I pray you be diligent in the caus I sent you for, becaus all things appeare to be in good dispositioun. Yee may advertise me by this bearer how maters succeed to you. If this have not good successe, we must of force assay the other way by others, and that shortlie, otherwise we will lose all. If yee receave anie thing from Mr George Ker by our blanke, send the halfe heere by this bearer, and I sall caus it serve me and Hendersone. The other halfe yee sall keepe to you and Johne Blacke, and give him as he mustereth; for this is eneugh. Your man, William, departs out of this the morne. I have writtin to you by him also. Hendersone is heere neere by in the Newton, in the old fashioun. I am to vissie him shortlie. Our man of warre has beene at Pluscardie, and is yitt in Cathnesse or Sutherland. The bearer will be heere againe shortlie, and I will abide some word from you with him. So I will committ you to the protectioun of God.

"At the tyde, in haste, the first of November, 1592.

"Yours as yee know,

(*Sic subscribitur*) "J. CHRISTESONE."

"SIR,—I receaved your courteous and confortable letter yesternight from Johne, before the recept wherof a five dayes I had spokin the gentleman, whose ticket yee sent me closed in your last letter. He uttered nothing to me anent you in particular, but he assured me, that against all Catholicks in generall there was over hard a conclusioun sett doun. For my owne part, albeit my estat be als difficill for the present as anie others within this realme, I thanke the eternall God of all, I nather lightlied his advertisement, nather yitt apprehended I it anie more vehementlie than I ought to have done: for He to whose blessed protectioun I have committed me, and in the which onlie I putt my full assurance, I doubt

not will preserve me, and worke all the things to the best, according to his godlie pleasure and providence.

"In the meane tyme, if commodiouslie I might, I would gladelie be freed out of this prisoun, to prepare me to goe furth of Scotland; for I susteane moe incommoditeis here nor everie one can easilie conjecture, as I pray you, and all others our speciall freinds, to give heed unto your selves; for in this world men who have anie evill intentioun dresse querrells, and forge falselie pretexts, where none are. I am sorie that George Mackesone has beene so long disappointed of his hors. But muche better is it to have abiddin a cannie mercat, nor to have hazarded an old gloyd, which might have stammered, and putt him in hazard. So, I doubt not, at lenth, but all sall come for the best to the said George, who meanes so honestlie and sincerelie; and he will haist word, how soone he may commodiouslie, abacke. Care never for brutes, but doe weill, and dread not. This is all: the first thing has beene invented falselie, without anie ground. The man who fell seeke in Setoun was willing to have spokin with me, but my opportunitie could not serve farther nor in sending commendatiouns, and generall offers of good will. I shew freelie my opinioun to him who sent you the ticket, concerning all this sort of people. Jey sont trop fines pour vous, et payment beaucoup que nous. Je ne dis prat que il mi a de gens de bien par moy mais tasta, eh. Il sa bien guarde al sumo. I consider your opinioun and Mr Sandersone his * * your filling of his bottle. *Sed quomodo evitemus periculum in quo versatur puer? Nam ne veremur illi.* Nather is it a good estat to lett him live into. Als great difficultie almost will be with his mother, and manie others neere freinds. But, for my part, I meane to preferre God to all. Alwise, their occupyes more weightie impediment in this part nor I will expresse by letter.

"As tuiching David Gib his informatioun givin you of the freindship I had of these two ministers, I never so muche as dreamed it, lett be to have seene it, or knowne it, by informatioun or extents. But the minister of this toun, accompanied with the maister of the schoole, on Wedinsday at even last, and never of

before, by my witting, as God sall judge my soule, came to the castell gairdin, and directed up the porter, to know if I would please to come and speeke with them. I thought it a point of incivilitie to have refused them speeche. So, after some talking, they uttered that their comming there was upon good will they boore to me; and, upon that, my bed-fellow said, she was sorie that never none tooke the paines to travell with me, which I knew not of. Alwise, in conclusioun, they desired to know if I was content to confer with them gentlie. After manie demands how they had beene directed to me, in respect that I assured them I was als throuch in all the points of my faith as they were of theirs, I tooke me to be advised for a certane day, whether if I would enter in anie conference with them or not, in respect of the inconveniences which might ensue to me, and I being in prisoun. As for my owne opinioun, I thinke it likeliest not to enter in anie conference. But I shew them, if I did, I would first speeke *de ecclesia et ejus authoritate.* So I crave your advice; for I would not have them advanting that I feared to enter in conference, for anie diffidence I have in our caus: albeit, indeid, it requires a better scholler nor me, yitt, in that heed, I am certane they will never winne through. We reasouned an houre *de ecclesia,* becaus I would not appeare so retired, nor destitute of reasoun, but that I had de quoy prayer. None was present but Johne Thomsone. He appeares courteous eneugh this minister; but I see no fruict to ensue of our conference; but rather, they may give it out as they list. Write both your advices in this, and lett Catholicks, if need be, understand the veritie. I conceate by God's grace not onlie to eshew *periculum,* but *scandalum omnis generis,* which all Catholicks ought to respect. So, to referring your answere by a boy of myne, who sall come for it. So, my commendatiouns remembred, with your cummer's, and her mother's, to the goodwife, your mother, your brethrein, Katharine, and all your familie, I committ you and them to the protectioun of the Eternall, and me to your prayers, in the which, I thanke you for remembring of me. Io supplicho V. S. de stor: in cornello di proceder nelle sue facende prudentemente et con discretia et ratto

mande ogni cosa a nostro sig^re. Iddio seme dubio nostri ne nullo ha ore qualche gran cosa per te manda. Iddio puet impedir il loro designo. Con questa in basto le main, de questa mio dispratem le residem. A. D. 9 Di Decembre, 1592.

"Di. V. S. Ill^tre. affect. come fratello,

(*Sic subscribitur*) "DAVID FORSTER."

"COUSIN,—I receaved your letter the 9th of August, 1592, of the date the 12th of November, 1591, saying, yee have not receaved out of our parts this two yeare bygane or thereby; assuring our paines, at the least myne, is not the lesse, and directed according to your directioun, to your cousin Mathew, by the way of Flanders; as also to France, after the moyen of a trust and sure hand. Try wherin the fault of your moyen be, if anie be, as otherwise none we heare of, as of anie challenging of letters: maist part, yee would understand the estat of our countrie, and of freinds.

"Toward the estat of our countrie, and court therof, als changable as ever it was seene in anie dayes past, with als little obedience or justice; but universallie, in all shires, manie deidlie feeds, with great and most odious slaughter, without punishment; of reafe and oppressioun through all the countrie. God wait, if the Hielanders ly ydle. The Mackfarlans are worse nor the Clan Gregors. Alace! the great heirship of the poore, by these, in all parts where there is anie goods! I doubt not but yee have heard tell of the Erle of Murrey's slaughter by the Erle of Huntlie, in proper person, with Geicht, Clunie, and Auchindoun; where unhonestlie they left good Captan Gordoun behind them, a prey to their enemeis, wherethrough he suffered. I doubt not now yee have heard how the Lord Bothwell, on St Stevin's day at evin, (his Majestie being at supper, and quiett,) convoyed himself, with an hundreth armed men, and thought to have slaine the chanceller, and tane the king; but mist all, through misbehaviour, and over soone showing themselves within the Abbey. Na slaughter, except good Johne Schaw, maister stabuler, and his brother. Eight or nyne of the erle's men were hanged before the Abbey gate. An-

other interprise he made in Falkland, the 21st of Junie or thereby, where his Majestie defended and keeped fast the towre therof, from day light unto nyne houres before noone, that of force the said lord, accompanied with three hundreth men, weill horsed, behoved to retire themselves, with the whole spulyie, and all the horses they might gett, except onlie his Majestie's hors: notwithstanding he came by the ferrie, he returned by the * * fuird, and to the south went. His Majestie, that same night, came to Edinburgh. Yitt his lordship resteth not. Immediatlie is slaine the Laird of Luce, by the Mackfarlans in the Lennox, betrayed in the night most shamefullie. There is appearance that the chanceller sall leave court. Now guides his Majestie the Erles Angus, Mortoun, Argile, who latelie has maried the Erle of Morton's youngest daughter, whom, we suppone, the duke sould have had; the Erle of Marr, who sall marie my lord duke's sister; the Maister of Glames is suppouned to be made chanceller. All thir sound not with us anie wise, muche lesse to my Lord Huntlie, or yitt Crawfurd, or anie of theirs. My Lord Bothwell having perswaded the Laird of Burlie and young Logy, great courteours, being at tryst in the Laird of Burlie's hous once or twise, it chanced to be declared and revealed to the king. Wherefore, both the saids lairds were tane, and examined by his Majestie and Counsell, which the said Laird of Burlie granted, albeit Logie foullie denyed, yitt at last granted, without anie thankes; wherethrough he was putt in sure keeping with the guarde, and Burley remitted, becaus of his confessioun; and his Majestie was so commoved at Logie, that he was ordeanned to suffer for his fault, and had suffered, were not the good hand his love made to him, her Majestie's Gentlewoman of Honour, Maistresse Margaret, and of her Majestie's blood, as of that countrie, that she spiritilie and right craftilie delivered him in the night; fetched him from the guard, as to speeke the queen, and two of the guard with him, which two she deteanned at her maistresse' chamber doore, and her self purposed with them, untill he was furth at a window, in the Castell of Dalkeith."

*" To my right speciall good Lord the Bishop of Vaizon, in the * * of Venice.*

"My Lord,—After most heartilie commendatiouns of service: I receaved your letter the 9th of Julie, 1592, of the date the 12th of November, 1591, thinking lang, and no lesse nor admiratioun, that no answere came from anie of us of these your lordship wrote; as if I had receaved anie, I had beene verie negligent, that would not answere again. But I ever followed that directioun your brother Johne wrote most part to Flanders, as otherwise as occasioun served. Alas! if I might anie wise pleasure your lordship, in place of your lordship's good will offered to me, attour your lordship's counsell and affectioun towards the newes of our countrie, as they presented, I ever putt them in a memorandum, as heere yee sall find inclosed for causes.

"To answere of your sister Margaret, and of your lordship's earnest desire to have had her honestlie maried, which (loving to God) was als weill by her whole rest of speciall good freinds, as the laird her brother, with her owne desire, was solemnized the 15th day of Junie, 1592, and that right honestlie, and manie noblemen therat, nathing inferiour for good companie, as otherwise, to anie of the rest; accompanied with the Erle of Argile, my Lords Drummond and Inchaffrey, the Maister of Livingstoun, the Countesse of Menteith, with the Lairds of Keir, Towche, Banhard, and manie moe, with their ladeis. As her husband, the Laird of Muschat, we cannot but compt him one of our owne. Now, muche more, there is good appearance of him, and might weill live after his guddame and mother, the Laird of Towy's sister. Therafter, he will be threttie-two chalders of victuall, attour other pennie maill and gressouns. The Ladie Kinfawnes, my sister, as the young ladie, are in good health, loving to God, as their sisters siclyke. Young Merchinstoun and his wife, as all the rest of freinds, except in Dumblane. Attour the death of Johne Moresone, William Moresone, tayloure, Elizabeth Hendersone, no more rest but good Sir

William Blaikwod; yitt we can not gett the Laird of Keir and William Sinclare agreed anent * * * to his hurt; no justice for the poore in anie degree. The Laird of Fintrie latelie commanded in waird in the Castell of Stirline, as my Lord of Spynie accused of treasoun by Colonell Stuart. Their day is the penult of August, 1592, before the counsell. My Lord of Huntlie remains ever in the North. If the court change, have at him! Our ministers would have Fintrie, having manie marrowes, as your brother and all the rest. None good of that surname, except your brother the parson. Your Lordship's commendatiouns are soone made, if to none other but Catholicks. My Lord of Inchaffrey is yitt unmaried. Your Lordship would witt whom on I depend. It is eight yeere since ever I drew anie pay, and yitt I am in no good estat with my competitors, albeit I have endured at their pleasures banishment in England the space of two moneths. God, since I had made that voyage unto your Lordship, as I had done, were not the troubles, and hoping for redresse, and yitt deferred. I doubt not nor Mr Edward Drummond, your Lordship's cousin, understands of the death of his brother, the Laird of Rickarton. Not longer to trouble your Lordship presentlie, except that the present, make my humble commendatioun of service to my Lord my brother, untill better occasioun. If your Lordship would witt what barnes the Laird your brother has, which are two sonnes and two daughters on lyfe, right faire, and of good inclinatioun. His eldest, James, of a good ingyne, and William als; God send them grace. Your Lordship's sister, Ladie Kinfawnes, three lades and two daughters; Ladie Merchinstoun, two lades, one daughter. Not having farther leasure presentlie, committs your Lordship to the protectioun of God, and all yours, our doubting I to be forgott in your ordinar prayers.

"Your Lordship's right obedient and loving cousin, at command and service,

(*Sic subscribitur*) "JOHNE CHISHOLME."

"Ego, Robertus Abircrumbius, Scotus, Societatis Jesu professus, omnibus hasce literas lecturis notum facio, harum latorem, Domi-

num Georgium Carreum, natione Scotum, utriusque juris doctorem esse, ex illustri familia oriundum, avitæque religionis, non solum constantem professorem, verum etiam acerrimum propugnatorem. Unde factum est, ut omnium hereticorum, presertim, eorum quos Ministros Verbi vocant, et penes quos jam summa rei in hac provincia stare videtur, odium in se conflaverit, ita ut ipsum, summo odio et crudeli persecutione secuti sint, indiesque divexarint. Quare, ipsorum molestia ac diuturna tyrannide pertæsus, neque ullum rei tam misere exitum conspicatus ipsorum furori censuit cedendum, ac in externas provincias, inter Catholicos principes, meliorem fortunam querendam, quousque divinæ bonitati placuerit, avitam religionem hunc afflictæ provinciæ restituere. Quamobrem, omnes cujuscunque status conditionisve existat, (presertim, veræ nostræ societatis homines,) rogatos velim, ob Christi amorem, cujus causa hæc passus est, ut hunc illustrem dominum jam semimartyrem, non solum amore prosequantur, verumetiam in suis castris, palatiis, domibus, ac collegiis recipiant, ac bene tractent, neque ullum humanitatis benevolentiæ, ac etiam liberalitatis officium, quod ipsi exhibere possint, prætermittant, uberrimam gratiam a Deo præpolenti, omnium bonorum remuneratore relaturi. In cujus rei testimonium, sigillum nostrum apposui, manuque propria scripsi, ac subscripsi.

(*Sic subscribitur*) "Robertus Abircrumbius,
"*Societatis Jesu.*"

"Ego, Jacobus Gordonius, presbyter Societatis Jesu, fidem facio per presentes literas, Magistrum Georgium Car, utriusque juris Doctorem, nobilem Scotum, præsentium latorem, in fide sanctæ ecclesiæ Catholicæ ac Romanæ hactenus fuisse constantem, imo, hujus fidei causa varia sustinuisse in hisce partibus incommoda; et nunc tandem, ob ejusdem fidei confessionem, atque ut liberius Deo inserviat, gravesque hujus temporis persecutiones aliquantisper declinet, natale solum deserere, et ad alienas regiones in quibus fides Catholica claret, commorari statuisse. Quare illum, omnibus præsentes literas inspecturis, tanquam virum vere pium et Catholi-

cum serio in Domino, commendo, dignumque esse attestor, qui ab omnibus probis ac Catholicis, omni benevolentia et charitatis officio, excipiatur et consoletur. In cujus rei testimonium, præsentes has literas, manu mea scripsi ac subscripsi, nec non sigillo quo uti soleo communi.

"In Scotia, die 24 Junii, 1592.

(*Sic subscribitur*) "JACOBUS GORDONIUS,
"*Societatis Jesu.*"

Stamped with I. H. S. Pax Christo, &c.

"*Admodum Reverendo in Christo, Patri Francisco Antonio,*
"*Societatis Jesu.*

"Intelligissem de prospera tuæ P. valetudine, ex sacerdote quodam Anglo, qui ex Hispania ad me venit: gavisus sum non mediocriter. Ea enim accepi a tua P. beneficia, eamque familiaritatem contraxi, cum ante multos annos, Viennæ, Austriæ, una essemus, ut tuæ P. immemorem me esse, nec par est, nec decet. Quare, cum lator præsentium, Magister Georgius Carus, nobilis Scotus, homo vere Catholicus ac pius, in Hispaniam proficiscatur, petivi, ut meas has literas, antiquæ amicitiæ ac observationis testes, ad tuam P. deferret. Ab eo, enim, poterit tua P. intelligere de meo statu, cæterorumque societatis nostræ, qui hic versamur. Est enim is non tantum testis ac inspector, sed etiam socius ac particeps nostrarum afflictionum. Ab eo igitur fuisse intelligere poterit, tua P. quicquid tandem in hoc genere desideret. Est enim homo fide dignus et dignissimus, qui bonis omnibus commendetur, quippe, qui ob solam Catholicæ fidei professionem, natale solum, ac parentes quos opulentos habet, deserere coactus sit. Cæterum, mi pater, nos qui hic sumus, ac veluti oves in medio luporum versamur, plurimum indigemus tuæ P., cæterorumque fratrum sacris sacrificiis et orationibus. Id quod abunde intelliget tua P. ex narratione ejus qui has defert. Quare, tuam P. cæterosque omnes patres ac fratres obnixe oro, ut nos qui hic in tantis angustiis ac periculis versamur,

suis sanctissimis sacrificiis ac orationibus plurimum Domino commendent.

"Ex Scotia, 20 Novembris, 1592.

"Tuæ R. Servus in Christo,

"JACOBUS GORDONIUS,

"*Scotus, Societatis Jesu.*"

"*Admodum Reverendo in Christo, Patri P. Jacobo Anellanode,*
"*Presbytero Societatis Jesu.*

"Cum imperrime intelligissem, e sacerdote quodam Anglo, qui ex Hispania huc ad nos venit, de prospera tuæ P. valetudine, gavisus, sum non mediocriter. Et nunc, cum lator præsentium, Magister Georgius Carus, (vero, Deo ac nobis *carus*,) ad vos profisciscatur, rogavi illum, ut tuam P. meo nomine, salutaret, simulque significaret de meo, cæterorumque qui hic ex societate sumus valitudine, atque statu partim adversa, partim prospera. Is enim talis est, cui tua P. in omnibus, sine ulla hesitatione credere possit, nostrorumque laborum atque afflictionum comes fidelissimus. Ego sane, ob pervetustam, cum tua P. initam familiaritatem, cum adhuc Viennæ, Austriæ, una essemus, tuam P. plurimum in Domino et diligo, et suspiro, atque de tuæ P. fausta valetudine aliquid intelligere, haud mediocritur desidero. Potest vero præsentium lator id præstare, ut de tuæ P. statu crebrius intelligam. Cæterum, mi Pater, nos qui hic, tanquam oves in medio luporum versamur, plurimum indigemus tuæ P., cæterorumque omnium patrum et fratrum meorum, sanctis sacrificiis et orationibus. Id quod abunde intelliget tua P. ex iis quæ lator præsentium referre poterit, quem tuæ P. plurimum commendo, ejusque fidei ac narrationi cætera relinquo. Tuæ P. sanctis sacrificiis et orationibus me obnixe commendatum desidero.

"Ex Scotia, 20 Novembris, 1592.

"Tuæ R. Servus in Christo,

(*Sic subscribitur*) "JACOBUS GORDONIUS,

I. H. S. "*Scotus, Societatis Jesu.*"

"*Admodum Reverendo in Christo, Patri P. Petro Rebadeneio,*
"*Societatis Jesu Presbytero.*

"*Admodum Reverende in Christo Pater, Pax Christi, &c.*

"Cum imperrime intellexissem de secunda tuæ P. valetudine, ex quodam Anglo sacerdote, qui non ita pridem ex Hispania huc ad nos venit, gavisus sum non mediocriter. Ea enim sunt P. tuæ antiqua in me collata beneficia, cum ex * ante annos multos juvenis sub tuæ P. disciplina versarer, ut ego horum oblivisci nec debeo nec possum. Quare, cum lator præsentium, Magister Georgius Carus, in Hispaniam profiscisci statuerat, petivi ab eo, ut has literas antiquæ meæ erga tuam, P. observationis testes secum deferret. Ab eo, enim, plenius intelliget tua P. quid hic agatur, in quo statu ego, cæterosque qui ex societate in hac provincia degimus, versamur. Id quod tuæ P. haud injucundum fore scio. Cæterum, is qui has literas defert, talis est, cui tua P. in omnibus fidere sine hesitatione poterit. Quippe, qui non tantum Catholicus est, fuitque semper, sed etiam laborum nostrorum atque persecutionum particeps et socius. Quem provide tuæ P. cæterisque nostris patribus plurimum commendatum velim. Is non nulla habet, quæ tuæ P., meo nomine, coram significabit. Neque enim patitur injuria temporum, ut omnia literis commendemus. Ex eodem etiam intelliget tua P. quam indigeamus nos, qui hic sumus, veluti oves in medio luporum, tuæ P. cæterorumque patrum et fratrum sanctissimis sacrificiis et orationibus. Quare tuam P. cæterosque omnes patres, et fratres qui vobiscum sunt, obnixe oro, ut nos qui hic in tantis angustiis et periculis versamur, suis sanctissimis sacrificiis et orationibus ferventer domino commendent.

"Ex Scotia, 20 Novembris, 1592.

"Tuæ R. Servus in Christo,

(*Sic subscribitur*) "JACOBUS GORDONUS,

"*Scotus, Societatis Jesu.*"

M.D.XCIII.

THE KING SENT FOR.

Upon Moonday, the 1st of Januar, the Erle of Angus comming to Edinburgh, was watched all that night by the toun, in his owne loodging. The letters intercepted with Mr George Ker were opened in counsell before a number of the ministrie. Upon Tuisday, the 2d of Januar, the Erle of Angus was convoyed to the castle, at the command of the Secreit Counsell, by the magistrats of Edinburgh accompanied with two hundreth citicens. The king was desired by a letter from the counsell, and another from the ministers, to haisten to Edinburgh.

THE COUNSELL BEGINNETH TO SHRINKE.

Upon Wednisday, the 3d, the brethrein conveened in the Little Kirk at ellevin houres, and appointed a letter to be formed and sent as the counsell had directed, to all gentlemen, favourers of religioun, dwelling neere Edinburgh, to repaire thither against the Lord's day, at night. Mr George Ker was examined before the counsell, but would confesse nothing. This day, a boy, sent from the Erle of Huntlie with letters to the Erle of Angus, was apprehended in Edinburgh, and the letters read before the counsell. The counsellers beganne to shrinke, thinking they had proceeded too farre alreadie.

THE KING SENDETH FOR THE NOBLEMEN AND BARONS.

Upon Wednesday, at night, the king came to Edinburgh. The counsell, the ministers, and magistrats of Edinburgh, went to him, and related all their proceedings. The king approved all. He called Angus a tratour of tratours, promised to hold hand to prosecution of this caus, desired the ministers to signifie this his in-

tentioun to the people, and to committ him and the actioun in their prayer to God. He directed missives to the nobilitie and barons to conveene, who conveened in Edinburgh at his desire, the 10th of Januar.

MR R. BRUCE'S SPEECH TO THE KING.

Upon the Lord's day, the 7th, the king came to Mr R. Bruce's sermoun. He exhorted the king now to execute justice, "or ellis," said he, "the Chronicles will keepe in memorie King James the Sixt, to his shame."

A CONVENTION IN MR R. BRUCE HIS GALRIE.

Upon Tuisday, the 9th, the brethrein mett in the morning in Mr R. Bruce his galrie, and concluded that some propositioun sould be propouned by the noblemen and barons. The propositiouns agreed upon were these:—

"1. That the king sould be moved to accept of this their hastie meeting, and proceed instantlie without delay, as if the day appointed by himself, that is, Moonday nixt, were come.

"2. That present tryell sould be had upon the persons which were alreadie in hands, and sufficient order tane for making them sure that were out of hand; or incace of absenting themselves, that they be forefaulted, their lands dealt and distributed, and their forefaultour confirmed in parliament.

"3. That some sould be chosin of the nobilitie, some of the barons, some of the ministers, some of the burgesses, and some of his Majestie's Secreit Counsell, to be upon the tryell, and that no Papist, nor anie suspected of Papistrie, have place in that actioun.

"4. That all Papists and suspected of Papistrie, excommunicats, Jesuits, etc., be presentlie removed [from their] office in the governement of the realme, and others placed in their rowmes: And that these things sould be propouned in the after noone."

After dinner, as the multitude waited in the Great Kirk, as was

appointed, for going doun to the king, the duke, the Erle of Marr, the Maister of Glames, Mr David Lindsey, etc., travelled muche with the commissioners who were appointed to speeke in the Counsell Yaird, that they would not goe doun to irritat the king, who was highlie offended, as they said, with that meeting. The Lairds of Barganie, Abbotshall, Merchinstoun, Andrew Ker of Fadowneside, the Proveist of Linlithquo, William Little, Duncan Balfoure of St Andrewes, Mr Robert Bruce, Mr Andrew Melvill, were appointed to be speekers. They were hindered three quarters of an houre and more by the duke, the Erle of Marr, the Maister of Glames, etc., till the Lord Lindsey brake off, and said, "I will goe doun with the barons, goe who will. We will not desist from our conclusioun made before noone." So they went doun, accompanied with the magistrats and manie citicens of Edinburgh. Some compted them a thowsand, some esteemed them to be two thowsand men.

When they came to the palace, Mr Robert Bruce and Mr David Lindsay went up first, to make way; but [got] little thankes for their labour, and small acceptatioun; no admissioun to speeche for the space of an houre and a halfe. At last, all being lett in to the great hall that might gett place, the king, sitting in a chaire covered with velvet, made a long and confused harangue. First, he condemned them for meeting without his warrant, and said, he knew not of it till all the wives of the Kaill Mercat knew of it. He shew that suche conventiouns were against the lovable lawes of his predecessors; how dangerous they were for breeding of mutineis and rebellioun in our rude countrie, which was wount to interprise great treasouns, under pretence of meeting for good causes. He upbraided them for meeting so haistilie now, when as they were so slow to assemble at his desire, when he was in danger. He said, they needed not to pretend the exemple of assembling in the beginning of religioun. The prince, to witt, Queene Regent, was a Papist, he was a Protestant prince. His harangue was tedious and ungratious. Yitt in the end, to mitigat them in some measure, he said, he liked weill their zeale, for he knew they did it for love of the

good caus, but willed them not to use suche assembleis in tymes comming without his knowledge; desired them to make him their backe, and then all sould be weill. It was answered, that the counsell gave directioun for that meeting; that it was not tyme to stay upon wairnings, when religioun, prince, countrie, their lives and lands, were brought in jeopardie. The king sattled and aggredged the cryme of the tratours highlie, and said, that it was of the nature of these things that were above him, and with which he could not dispense, and, therefore, promised to take tryell therin with diligence, and putt order thereto with all severitie, to their contentment.

Upon Wednisday, the 10th, there was a meeting of the noblemen and barons in the Little Kirk of Edinburgh, where were present the Lord Hammiltoun, the Lord Forbesse, and manie of the surname of Hume. After prayer, the same speekers were chosin, which were sent before to goe to the king, to desire him to approve their meeting, that they might prepare maters better against the tyme appointed by him to the nobilitie, if he will not presentlie enter in tryell. After noone, answere was returned, that some barons and gentlemen, suche as the king sould nominat, repaire to him the morne after noone, at which tyme he would reveele some secreits to them, which they must be sworne to keepe secreit, untill farther occasioun. Upon Fryday, Mr Walter, in his sermoun, exhorted the noblemen and barons to continue till they did see some effect. He said, "If the king satisfie not men's expectatiouns now, in a cace so cleere, having suche assistance willinglie offered to him, he would blott himself for ever." That day, after noone, two things were propouned, at the king's directioun: First, How he might be assisted in prosecuting this present actioun: Secundlie, What order sould be taikin to guarde his person afterward. The barons answered, they sould assist him in their owne persons, and not by servants, till farther order be taikin; which they meaned sould be done upon the expences of the convicted guiltie, by forefaltour of their livings; but this claus they suppressed. Upon the Lord's

day, the 14th, Mr James Melvill, teaching in the Great Kirk after noone upon the 5th Psalme, discoursed upon madmen that refused the right way of standing, beginning at King James the Fyft. He told how the governour, (the Lord Hammiltoun being present,) the queene, etc., and the inferiour great ones, as the Cardinall, Seigneur Davie, the castellans, the Lord Quondam, the late chanceller, the duke, stood not, becaus they obeyed not God.

Upon Moonday, the 15th of Januar, the barons met in greater number than before, with the king's commissioners, he himself in the meane tyme hunting about Dalmahoy. They agreed he sould have an hundreth footmen, and an hundreth horsemen, upon their charges, to be his guarde, so that he interprised the worke against the traffiquing Papists. When the king heard of this their resolutioun, he said, Where before he was challenged for words without deids, now deids sould speeke. An act was made by his owne motioun, that whosoever procured for anie of the detected tratours, he sould be reputed a tratour with them. I find in a certane manuscript these conclusiouns following, resolved upon by the king and the nobilitie:—

"17*th Januarii*, 1593, alias 1592.

"It is concluded by the king's Majestie, with the advice of his nobilitie, estats, and counsell present, that his Hienesse sall caus his lawes strike upon everie ranke of Papists according to their merit and medling; paine of treasoun for Papists, tratours wairding, and suche other kinde of civill punishement for inferiour rankes.

"The other Papists in the countrie, which may give concurrence unto them which are presentlie under tryell, after the names be delated, their persons to be charged to remaine in suche wairds as his Majestie sall appoint, during the tyme of the tryell of the persons in hands, and delated in his Hienesse' will.

"That all avowed Papists be discharged from bearing of publict offices in this land, and from a place of counsell, sessioun, parlia-

ment, or other judicatour whatsomever; and suche as are suspected, to be suspended from the said offices, after their names be delated, whill they be sufficientlie tryed.

"That his Majestie sall proceed in tryell of the persons alreadie in hands, for which effect sall grant commissioun to James Lord Lindsay of the Byres, Andrew Ker of Fawdowneside, Johne Johnstoun, brother to the Laird of Elphinstoun, burgesse of Edinburgh, Mr David Lindsay, Minister of Leith, with suche others of his Majestie's Counsell as his Hienesse hath appointed, and Mr George Young, Archdeacoun of St Andrewes, to write the examinatiouns; who sall conveene daylie before noone and after noone in the Counsell Hous of the Laich Tolbuith, or otherwise where they thinke good, whill the mater be ended.

"That letters be directed, charging George Erle of Huntlie, Francis Erle of Erroll, and Patrik Gordoun of Auchindoun, knight, to compeere personallie before his Hienesse and his Privie Counsell at St Andrewes, upon the fyft day of Februar nixtocum, to answere to suche things as sall be layed to their charge, tuiching their treasonable practising and traffiquing against the estat of the true religioun, the person and authoritie of our soverane lord, and for disturbing the peace of the realme; under the paine of rebellioun and putting of them to our horne; with certificatioun to them and they failyie, letters sall be directed *simpliciter* to putt them to the horne, and to escheat, &c. And if by fleing, they make themselves guiltie, to be persued with all diligence whill their bodeis be apprehended; and failyeing therof, that the law goe fordward against their persons, lands, and goods, as the custome is in maters of treasoun.

"Forasmuche as our soverane lord is crediblie informed of the treasonable conspiraceis made by certane his unnaturall and most unthankfull subjects, led and seduced by Jesuits, Seminarie preests, excommunicats, and traffiquing Papists, against God and his true religioun, preached and established within this realme, for the imbringing of strangers, and raising of civill warre, to the perrell of his Majestie's persoun and estat, and subversioun of the libertie of the

countrie, if tymeous remeed be not provided, to resist and represse their most wicked and treasonable plotts: Therefore, ordeans letters to be directed to officers of armes, shireffs in that part, charging them to passe to the mercat croces of Edinburgh, Hadintoun, Linlithquo, Stirline, Clackmannan, Kinrosse, Cowper in Fyfe, Perth, Forfar, Kincairdin, Aberdeen, Bamf, Elgine, Forresse, Narne, and Innernesse; and there, by opin proclamatioun in his Hienesse' name and authoritie, command and charge all and sindrie erles, lords, barons, free-holders, fewers, and landed men, als weill to burgh as to land, regalitie as royaltie, and inhabitants of burrowes within the bounds of the shirefdoms and stewartreis underwrittin: That they, and ilk one of them, weill boddin in feare of warre, addresse them to meete his Hienesse at the dayes and places particularlie after mentioned. They are to say, all within the shirefdom of Edinburgh, principall and constabularie of Hadintoun, at Edinburgh, upon the 15th day of Februarie nixtocum: all within the shirefdome of Linlithquo and Stirline, at Stirline, upon the 16th day of the said moneth of Februar: all within the shirefdom of Clackmannan, Kinrosse, Fyfe, and Perth, and stewartreis of Stratherne and Menteith, at Perth, upon the 17th day of the said moneth of Februar: all within the shirefdom of Forfar, at Dundie, upon the 18th day of the said moneth of Februar: all within the shirefdom of Kincairdin, at Brechin, upon the 19th day of the said moneth of Februarie: all within the shirefdom of Aberdeen, at Cowy, upon the 20th day of the said moneth of Februarie: and all within the shirefdom of Bamf, Elgine, Forresse, Narne, and Innernesse, at Aberdeen, upon the 21st day of the said moneth of Februar: all with 30 dayes victuall and provisioun, after their comming to Aberdeen; and from thyne furth, to passe fordward with his Hienesse, as they sall be conveenned, for resisting and repressing of the authors of the saids treasonable conspiraceis, and defence and maintenance of the libertie of the crown and countrie from thraldom of conscience, and conqueist and slaverie of strangers, under the paine of tinsel of life, lands, and goods.

"To the effect that the odious crymes of treasoun, bloodshed,

and others against God and his true religioun, the crowne, countrie, and commoun weale, may be enquired of, and punished in the best and most summar maner that may be, and for the particular consideratioun, advice, and directioun, how justice in criminall causes sall be sett fordward; gives power to William Erle of Morton, Lord of Dalkeith, Thomas Maister of Glames, Treasurer, George Hume of Wedderburne, Alexander Hume of Northberuik, Mr Robert Bruce, minister of Edinburgh, and Johne Johnstoun, brother to the Laird of Elphinstoun, to conveen, and report their advice to his Majestie at his returning.

"In respect his Hienesse' hous and other necessarie charges can hardlie now be susteaned upon his Hienesse' present rent, in strait as it is, and that his Hienesse' debts are growen great and difficill instantlie to be releeved, his Majestie having found, by experience, default in the handling of his effaires in tyme bygane, wheranent he is laith and unwilling to accuse them whom he has credited, or to excuse his owne part, and yitt, alwayes thinketh a present reformatioun to the better most needfull, that he may live more profitablie on his owne nor heeretofore, and be the lesse chargeable to his good subjects, that merit not punishment for anie their owne contempt or offences: Therefore, ordeans the Lairds of Basse, Airth, Tullibairdin, and Tracquair; Johne Arnot, William Little, and Henrie Nisbit, burgesses of Edinburgh, to conveene in the Checker-hous, and consider the bygane abuses, and to give their advice and overture tuiching reformation and amendiment therof in tyme comming, as alsua tuiching his Majestie's visitatioun of the Iles this nixt sommer in proper persoun, and needfull provisiouns to be made therefore."

HUME AND MAXWELL BEFORE THE PRESBYTERIE OF EDINBURGH.

Upon Tuisday, the 23d, the Lord Hume compeered before the Presbyterie of Edinburgh, professed himself a Catholick Roman, but desired conference, which was granted, providing that it did not hinder the king's proceedings against him, according to the

sute of the barons. The presbyterie being conveenned extraordinarilie upon Fryday, the 26th, Maxwell subscribed the Confessioun of Faith, under the name of Morton. He promised frankelie to be readie, whensoever the kirk sould impley him. The day before, the barons and gentlemen of Galloway said boldlie to the king, they would not have one of their owne companions, meaning Maxwell, to be their king. If the king denied his patrocinie and defence, they would submitt themselves to a forrane king.

A TUMULT RAISED BY MORTON AND MAXWELL.

Upon Fryday, the secund of Februar, Maxwell and Mortoun striving for their place in the kirk, were parted without sword drawin, by the proveist, and convoyed to their loodging. Maxwell came in first, of purpose as it seemed. The Lord Hamiltoun was also convoyed to his loodging, becaus he assisted Maxwell. The toun was wairned by the knell of the commoun bell, a little before the last bell.

A FALSE ALARM.

Upon Saturday, the thrid of Februar, the citicens of Edinburgh were wairned secreitlie by the magistrats, to meete at night in their armour. The king had so desired, becaus Carmichaell had reported that Bothwell was to sett again the thrid tyme upon the king. There went doun two hundreth in their armour, before ten houres. The king thanked them, and willed them to returne to keepe their owne toun, and leave 30 harquebusiers to watche the Abbey.

Upon Tuisday, the sixt of Februar, order was taikin that all the barons of Lothian sould be writtin for against Fryday nixt, at two after noone, to contribute to the king's guarde. This was done at the king's desire.

SEARCHE FOR BOTHWELL.

Upon Wedinsday, the seventh, the duke, the Erle of Marr, the Maister of Glames, raid furth, few knowing to what purpose. The Maister of Glames returned in with a rib of his side brokin. The toun ports were closed, and searche made for Bothwell.

HUNTLIE ENTERETH NOT.

A warrant was givin to Huntlie to come to St Andrewes upon the fyft of Februar. But this night, the seventh of Februar, the king receaved a letter from him, wherin he excused himself, that he might not enter at the day and place appointed, for feare of his enemeis, and offered to depart out of the countrie till the king's anger were asswaged.

D. GRAHAM OF FINTRIE EXAMINED.

Upon Moonday, the 12th of Februar, David Grahame of Fintrie being to be examined, was made drunk by his freinds, of purpose to eshew examinatioun. But after his witts and memorie awakenned, he wrote a confessioun, and sent it to the king, which, howbeit it was sufficient for his convictioun, the king would have him to be re-examined, and threatned with the torments of the bootes.

MR J. GRAHAM SLAINE.

Upon Tuisday, the 13th of Februar, Mr Johne Graham of Halyairds went out of Edinburgh toward Leith, being charged to depart off the toun. The duke and Sir James Sandilands following as it were, with clubs in their hands, and comming doun Leith Wynde, one of Mr Johne's companie looking backe, and seing them, they turned to make resistance. The duke sent, and willed them to goe fordward, promising no man sould invade them, yitt Mr

Johne Graham's companie shott; wherupon the duke suffered Sir James and his companie to doe for themselves. Mr Johne was shott; his companie fled before ever he was caried to a hous. Sir Alexander Stewart's page, a Frenche boy, seing his maister slaine, followed Mr Johne Graham in to the hous, dowped a whinger into him, and so dispatched him. Before their encounter, Mr Johne was accompanied with three or foure score.

ANGUS ESCAPETH OUT OF THE CASTELL.

Upon Tuisday, the 13th, at night, the Erle of Angus escaped out of the Castell of Edinburgh. Sufficient wairning was givin to the king, the captan, the constable; but no wairning availed.

FINTRIE BEHEADED.

Upon Thursday, the 15th, David Grahame of Fintrie was convicted of treasoun by an assise of barons and burgesses, and beheaded at the Mercat Croce of Edinburgh, about two after noone, farre by the expectatioun of manie.

A ticket was notwithstanding affixed that night after ten houres upon Mr James Johneston's booth doore, bearing advertisement to the ministers, that there was no true meaning in the Northland Road; for Angus had escaped prisoun, not without moyen of court, and his sonne was infeft in the erledome; that one of Erroll's freinds had gottin his escheat. And, indeed, sindrie barons and gentlemen of Lothiane had gottin licence to stay at home.

By the confessiouns and depositiouns of Mr George Ker, and David Grahame of Fintrie, were discovered the unnaturall and traterous practises of the Papists against God's kirk, their native countrie, and the king's person. The substantiall points of their depositiouns were printed and published at the king's command, which heere follow, as they are extant in the printed booke:—

"By the confessiouns and depositiouns of Mr George Ker, and David Grahame of Fintrie, it is discovered, that in Marche, 1591,

Mr William Crichtoun (who has remained thir two yeares bygane in Spain) sent to Mr James Gordoun, Jesuit, father brother to George, now Erle of Huntlie, a gentleman called Mr William Gordoun, sonne to the Laird of Abiryeldie, with letters to lett the Catholicks heere understand what travell Mr William Crichtoun had tane with the King of Spain since his comming there; and that the said king had opened to him that he had beene deceaved by Englishmen, and would from that tyme furth embrace the advice and way which the said Mr William would shew him, both for invading of England, and alteratioun of religioun within this realme. And for that purpose, the said Mr William craved by this gentleman to be sent to him so manie blankes and procuratiouns as could be had of noblemen heere, for the assurance of his traffique. (Deponed by Mr G. Ker, 3d, 5th, and 6th of Februar, 1592.)

"Upon the sight and recept of the which blankes, sent with some other discreit gentleman, having the noblemen's commissioun, to be filled up with suche conditiouns as sould be capitulated and agreed upon betuixt the King of Spaine and Mr William Crichton, which sould have served as pledges and sureteis for the subscribers' part, at the landing heere of the Spanish armie, it was concluded, that there sould have beene sent out of Spaine, about the latter end of the Spring, in this present yeere, 1592, an armie of threttie thowsand men, to have landed heere at Kirkcudbright, or at the mouth of Clyde, according to the opportunitie of the wind; where they sould have entrenched and fortified themselves, for the assurance of them and their shippes. (Deponed by Mr G. Ker, the 3d, 5th, and 6th of Februar, 1592; and deponed by D. Graham of Fintrie, 13th Feb. 1592.)

"And, first of all, money sould have beene sent to the Catholicks heere, for raising of forces to supplee the said armie, wherof foure or five thowsand sould have remained within this countrie, who, with the fortificatioun and assistance of the noblemen, Catholicks, their freinds, and suche other forces as the Spanish money would raise, sould have, immediatlie after their landing, begunne to alter their religioun presentlie professed within the realme, or, at least,

procured libertie of conscience, and Papistrie to have beene erected heere; and the rest of the armie sould have past toward England, the neerest way from their landing to the border. (Deponed by Mr G. Ker, 3d Februar, 1592; and by Fintrie, 14th Feb. 1592.)

"The letters sent from Mr William Crichton being concredited by Mr James Gordoun to Mr Robert Abircrumbie, were shewed by him to David Grahame of Fintrie, at Abirnethie, in Aprile, 1592. (Deponed by Fintrie, 13th Feb. 1592.)

"And for effectuating of this mater, it was once thought most convenient, that Sir James Chisholme, who was then one of his Majestie's Maister Housholds, sould have gone to Spaine with this commissioun, in respect he was otherwise bown toward his uncle, Mr William Chisholme, called Bishop of Dumblane; for Sir James had the first credite of this earand with the noblemen, as he declared to David Grahame of Fintrie, that he had dealt with the Erles of Huntlie and Erroll, and conferred with Mr George Ker anent this turne, about the tyme of the last parliament holdin in Edinburgh, in June, 1592; as alsua, intercommouned againe in his owne hous with the same Mr George in October, 1592, tuiching the whole heads of this dispatche. But Sir James not being able to be so soone readie, and Mr George Ker being bowned off the countrie, it was thought best that the same commissioun sould be givin to him, and that he sould undertake the careing of the saids letters; and sua he was imployed in that earand, the rather becaus both his guddames were Crichtons. (Deponed by Fintrie, 13th Feb. 1592.)

"Therafter, Mr George being bowned to his journey, and readie to make saile out of the Fairlie Road, at the West Sea Banke, upon the 27th of December, 1592, then by God's providence the said Mr George was apprehended in the Yle of Cumray, and with him there were intercepted certane missive letters directed to this purpose; amongst which there were eight blankes, wherof one is subscribed,

"*De vostre Majestie très humble et très obéisant*
"*Serviteur, Guilliame Compte de Angus.*

"Another blanke is subscribed,

"*De vostre Majestie très humble et très obéisant*
"*Serviteur, Françoys Compte de Erroll.*

"And thir two blankes were both procured of them by Sir James Chisholme, in their owne loodgings at Edinburgh, at the tyme of the last parliament, in Junie, 1592. (Deponed by Mr G. Ker, 3d Februar, 1592.)

"Another blanke is subscribed,

"*Gulielmus Angusiæ Comes.*

"Another blanke is subscribed,

"*Franciscus Errolliæ Comes.*

"Which were both procured of them by Mr Robert Abircrumbie, who was the cheefest traveller in that mater, in October, 1592. (Deponed by Fintrie, 13th Feb. 1592. Deponed by Mr George Ker, 3d Februar, 1592.)

"Another blanke is subscribed,

"*Georgius Comes de Huntlie.*

"Another is subscribed,

"*Georgius Comes de Huntlie.*

"Which were both, with the whole blankes, proponed first to the Erle of Huntlie, by Mr George Ker in Strabogie, at his passing there. (Deponed by Mr G. Ker, 3d Feb. 1592.)

"Which six severall blankes before specified sould have beene all filled with missive letters, by the advice of Mr William Crichton. (Deponed by Mr G. Ker, 3d Feb. 1592; and by Fintrie, 14th Feb. 1592.)

"And the other two blankes, making out the number of eight, were both subscribed in the mids of two opin throuches of paper, in this maner,

"*Gulielmus Angusiæ Comes.*
"*Georgius Comes de Huntlie.*
"*Franciscus Errolliæ Comes.*
"*Patricius Gordoun de Auchindoun, Miles.*

"Which last two blankes were first subscribed by the Erle of Huntlie and Patrik Gordoun in October, 1592, and therafter, being sent with Mr Robert Abircrumbie to the Erles of Angus and Erroll, were subscribed by them in the said moneth of October, 1592. (Deponed by Mr G. Ker, Feb. 3, 1592.)

"And thir two blankes sould have beene filled up with proclamatiouns, and whatsomever sould have beene thought meete, by the said Mr William Crichton, for the avowance of that which Mr George Ker had in directioun and credit with the subscribers, which credit he receaved from the Erle of Huntlie, by the report of Mr James Gordoun, and from the Erles of Angus and Erroll, by themselves, in Edinburgh, in the beginning of October, 1592. (Deponed by Mr G. Ker, 5th Feb. 1592.)

"And the summe of this his credit was an assurance, that thir noblemen sould raise a power of horsmen, and meit the Spanish armie at their landing; and reciprocklie to assist, accompanie, and convoy them in their passing to England, by all the forces they could procure upon the King of Spain's charges. (Deponed by Mr G. Ker, the 5th and 6th Februar, 1592.)

"And thir noblemen, subscribers, tooke the burthein upon them, and interponed their bands for the concurrence of the whole Catholicks of Scotland in this caus, and thought it meet among themselves, for the better secrecie, that none other sould be craved to bind for this earand but they three.

"With thir eight blankes, subscribed as said is, there were intercepted stampes in wax, of the Erle of Angus' seales of armes, six; of the Erle of Huntlie's seales of armes, foure; and of the Erle of Erroll's seales of armes, three.

"David Grahame of Fintrie deponed, that he mett sindrie tymes since this purpose was in hand with Mr Robert Abircrumbie; as namelie, the first knowledge that he had of this purpose was by the said Mr Robert, in Dumfermline, and therafter in the Castell of Stirline, before Mr George Ker his preparatioun to his journey; where Mr Robert shew him, that this commissioun was to be givin to the said Mr George, to caus fill the blankes with Mr William

Crichton's advice, and that he was to deliver the same blankes, with the other letters to him, who was to depart and carie with him all this message. (Deponed by Fintrie, 13th and 14th Februar, 1592.)

"Lyke as the saids blankes and letters which were procured for that earand were all delivered by Mr James Gordoun and Mr Robert Abircrumbie to Mr George Ker, to be caried by him to Mr William Crichton, Jesuit, and to be filled up at the discretioun and directioun of the said Mr William, and of Mr James Tyrie, who was best acquainted with the effairs there.

"Farther, it was deponed by David Grahame of Fintrie, (which is not extant in the printed booke,) that the purpose of the armie was to have revenged the Queene of Scotland's death, and their owne particular.

"That of the armie there sould have remained heere foure or five thowsand men.

"That by the number to have beene left behind, the alteratioun of the religioun presentlie professed within this realme, or at the least libertie of conscience, sould have beene ettled to.

"That to this effect, they sould have sent unto his Majestie to have procured his favour and consent to it.

"That incace their sute to his Majestie had beene refused, what sould have ensued he knows not, as he sould answere to God.

"That being in Stirline, he receaved a letter from the Erle of Angus, but nothing to this purpose.

"He declairs, that the letter writtin at the end, 'Henrie Gilbert,' directed to Mr Robert Balfour, is his owne letter, delivered by him to Charlie Murray, servant to Mr George Ker, within the Castell of Stirline, in November last; and that the mentioun made of George Mackesone therin is Mr George Ker, and James Gudman is Mr James Gordoun.

"That Thomas Forbesse is a gentleman's sonne in Buchan; and therafter declared, that this Thomas Forbesse is himself, and is his owne tooname, as he sould answere to God.

"That Patersone was Mr Edmund Hay.

"That the name of Gabriel Grundesone is my Lord of Glasgow.

"That Mr James Balfour is one Mr James Kyd, a doctor of Tholose or Bordeaux.

"That the agreeance betuixt William Craig is Mr William Crichton; and Bartill Bailzie is Robert Bruce.

"Farther in this purpose he knowes not, (as he said,) as God sould judge him at the latter day.

"All these premisses are subscribed with his owne hand, thus,

"FYNTRIE."

"Unto the which this postscript is subjoyned, writtin with the hand of Mr James Bannatyne, clerk and writter to the most part of the premisses, the 14th of Februar, 1592.

"The said David Grahame of Fintrie declairs, that the

"Erle of Angus was called William Achesone,
"Erle of Huntlie was called George Harvie,
"Erle of Erroll was called Ferguse Adam,
} to their toonames."

THE COPIE OF THE LAIRD OF FINTRIE HIS LETTER TO THE KING'S MAJESTIE, ALL WRITTIN AND SUBSCRIBED WITH HIS OWNE HAND.

"Alwise, to the end that your Majestie may have the prooffe, that I putt all in your Majestie's hands, the thing I know without farther I will declare unto your Majestie; craving most humblie of your Majestie your pardoun. This purpose was sett doun by Mr William Crichtoun, and sent home heere, that suche a discreit persoun might be directed backe with a commissioun and blankes, and suche things as were requisite for the performance of suche a purpose. So Sir James Chisholme sould have gone. But not being readie, Mr George Ker being bowned furth of the countrie, gott the imployment in that earand, and so was directed with the blankes to have beene filled there, at the discretioun of Mr William Crichtoun, with what particular conditiouns, as God sall judge me,

I know not. But suche a number of men sould have come in, and such a quantitie of money, if they were obteaned. Your Majestie's right and title sould no wise have beene harmed. Libertie of conscience sould have beene craved. And this is all I know in this earand, so farre as I remember. Whom fra the blankes sould have beene is knowne by the noblemen their names; and what farther in particular I remember not.

(*Sic subscribitur*) "FYNTRIE."

Mr George Ker, likewise, in his letter to the king, signefieth also, that the conspirators doubted not of the king's owne consent to their interprises. It appeareth, the cheefe conspirators have had his expresse or tacite consent, or at least have perceaved him inclynned that way, wherupon they have presumed.

THE KING RYDETH TO THE NORTH.

Upon Saturday, the 17th of Februar, the king raid from the Palace of Halyrudhous to Stirline. From Stirline he raid to Perth, from Perth to Dundie, from Dundie to Aberdeene.

ANGUS SUMMONED.

That day the king entered in his progresse toward the North, the Erle of Angus was summouned at the Croce of Edinburgh, to compeere before the king and counsell at Aberdeen, the 27th of this instant, under the paine of horning.

The same day that the king entered in his progresse there was a ticket affixed, about ten houres at night, upon the Croce and other parts, bearing advertisement to the ministers, penned, as appeareth, by Bothwell.

ADVERTISEMENT TO THE MINISTRIE OF EDINBURGH, AFFIXED ON THE KIRK DOORE, CROCE, OR TOLBUITH, ON FRYDAY, AT EVEN, THE 17TH OF FEBRUAR, WHICH WAS THE DAY HIS MAJESTIE MADE PROGRESSE TO THE ROAD, 1592.

"Since yee see the faire promises made against the Spanish factioners lyke to take but small effect; for Angus is escaped, not without favour of court; Erroll and Huntlie's lives are in no danger, and a privat recommendatioun sent in their favour to some forraine parts: Huntlie's sonne has receaved a new infeftment of his lands, and Erroll's escheat is tane by a freind of his to his owne behove, whereby both their life and lands are safe; Hume continues in great credit. And if Sir George Hume have receaved three thowsand merkes, to be a freind to them that are in the Tolbuith, he knowes. Yitt lett the weelefare of religioun move you not to be over sore against your persecuted brethrein, till yee see some better fruict of their large promises. So long as we remaine constant in religioun, there is no just caus to abhorre us, albeit we be declaired rebells; for so have they beene that now rules the estate, together with some of yourselves. Fairweill."

Another advertisement was affixed upon the 19th of Februar, bearing the same purpose, but more plainlie, that Huntlie and his freinds had a commissioun to kill the Erle of Murrey, and wanted not daylie conforts from the greatest cubiculars; that Huntlie and Erroll had privie recommendatiouns to forraine countreis, if they list to depart; that a great courteour hath tane Erroll's escheat to his owne use; that Hume and Maxwell are in great credit at court; that Sir George Hume knoweth if he hath receaved three thowsand merk to save Mr George Ker.

The proceedings of the king at the Road of Aberdeen are registred summarilie in the bookes of the Generall Assemblie, in the Assemblie holdin in May, 1594, sessioun 4th, viz., That the noblemen and barons conveened at Aberdeen made a band for the suretie of religioun, tooke the houses of the apostats, and putt men into them; called suche as were Papists, which were sent to Edinburgh,

to satisfie, and commissioun givin by his Majestie to the Erle of Marshall, of lieutenantrie, for repressing of Papists and traffiquers; siclyke, diverse barons called in by his Majestie to cognosce the hand writts of the blankes subscribed by the apostat lords, who verified the same to be their hand writts. *Item*, After his returning from the said road, an act of counsell made, that none sould procure at his Majestie anie favour or grace to them, with a charge to his ministers, to take the oaths of his domesticks, that they sould no wise interceed for them at his hand: which was done. And yitt, in the same Assemblie, and the same sessioun, the ministrie doe regrait that all these faire shewes turned to no effect, and that their owne travells had as yitt small successe. So it appeareth they make mentioun of these faire shewes for his greater convictioun; and for the same caus registred the band above specified, and the act made in Januar, the tenour wherof followeth:—

FOLLOWETH THE TENOR OF THE BAND AND ACT ABOVE SPECIFIED.

"Wee, noble men, barons, and others undersubscribing, being fullie and certanelie perswaded of the treasonable practises and conspiraceis of sindrie his Hienesse' unnaturall and most unthankfull subjects against the estat of the true religioun presentlie professed within this realme, his Majestie's person, crowne, and libertie of this our native countrie; and finding his Majestie's good dispositioun to prevent and resist the same, and to represse the cheefe authors therof, his Majestie having concurrence and assistance to the same effect: Therefore, according to our bound duetie and zeale ought to God's glorie, love of our native countrie, and affectioun to his Majestie's person, crowne, and estate, we have promitted, and by thir presents promitts, faithfullie bind and oblige us, and everie one of us, to concurre, and take an effald, leill, and true part with his Majestie, and eache one of us with others, to the maintenance and defence of the libertie of the said true religioun, crown, and countrie, from thraldom of conscience, conqueist, and

slaverie of strangers, and resisting, repressing, and pursute of the cheefe authors of the saids treasonable conspiraceis; as, in speciall, of George Erle of Huntlie, William Erle of Angus, Francis Erle of Erroll, Sir Patrik Gordoun of Auchindoun, knight, Sir James Chisholme of Dundarne, knight, Mrs James Gordoun, William Ogilbie, Robert Abercrumbie, and all other Jesuits, Seminarie preests, traffiquing Papists, and others his Hienesse' declared tratours, rebellious and unnaturall subjects, treasonable practisers against the estate of the true religioun, his Majestie's person and crowne, and libertie of this our native countrie. And to that effect we, and everie one of us, sall putt our selves in armes, rise, concurre, and passe fordward with his Majestie, his lieutenants, or others having his Majestie's power and commissioun, at all tymes when we sall be required by proclamatiouns, missive letters, or otherwise; and sall never shrinke nor absent our selves for anie particular caus or querrell among our selves. We sall not ryde, assist, show favour, give counsell, or take part with the saids erles, Jesuits, nor others foresaids; nor yitt with the persons denounced, or that sall be denounced to the horne, or declared fugitives from his Majestie's lawes, for the treasonable fire-raising and burning the place of Dunnybrissell, and murther of umquhile James Erle of Murrey; nather recept, supplee, nor interteane them, nor yitt furnishe them meete, drinke, hous, nor harberie, nor otherwise have intelligence with them, privatlie nor publictlie, by letters, messages, nor no other maner of way. The skaith and harme of others we sall not conceale, but disclose and impede the same, to our utter power. The querrell or persute of us, or anie of us, we sall esteeme, lyke as presentlie we doe esteeme, equall to us all; and by our selves, our whole forces, lyke as his Majestie, with his Hienesse' force and authoritie, hath promitted and promitteth, to concurre and assist together eache one in the defence of others to our utter powers. And, incace anie variance sall happin to fall out amongst anie of us, for whatsomever caus, we sall submitt, lyke as presentlie we submitt us to the judgement and deliverance of anie two or three of the principall of us, subscribers of this present band, and fulfill

whatsomever sall be declared by them, but reclamatioun or contradictioun. Attour, his Majestie, by whose directioun and command, with advice of his counsell, there are certane barons and other gentlemen directed to remaine in the south parts of this realme, hath promitted, and by thir presents promitts, in the word of a prince, that the same barons sall not be licenced to returne home again to the said north parts; nather sall anie favour or pardoun be granted to the said erles, Jesuits, nor others above mentiouned; nor no order tane now dispensed with without the speciall knowledge and advice of the lieutenant and commissioner for the tyme, and six of the principall barons at the least, inhabiters of the said north parts, subscribers of this present band. And this to doe, we, the saids noble men, barons, and others foresaid, have sworne, and sweare by the great God our Creator, Jesus Christ his Sonne, our Redeemer, the Holie Ghost our Sanctifier, witnesses of the veritie heere agreed upon, and revengers of the breache therof; and, farther, oblige us thereto, under the paine of perjurie, infamie, and tinsell of credit perpetuallie, honour and estimatioun in tyme comming, beside the ordinarie paines of the lawes to be executed upon us, in signe and memorie of our unnaturall defectioun from God and his Majestie. In witnesse wherof, we have subscribed these presents with our hands, as followeth, lyke as his Majestie, in tokin of his allowance and approbatioun of the premisses, hath subscribed the same.

"At Aberdeene, the * * day of Marche, 1592.

(*Sic subscribitur*) "James R. Lennox.

"Atholl. Marr. Marshall.

"James Lord Lindsey.

"Johne Lord Innernesse.

"Johne Maister of Forbesse."[1]

"*At Halyrudhous, the fyft of Januarie*, 1592 *yeeres.*

"Forasmuche as, albeit the dangerous effects of the covered and bussie travells of Jesuits, Seminarie preests, borne subjects of this

[1] For the list of all the subscribers to this band, see Appendix.

realme, and some other strangers these late yeeres, have beene oft espyed and feared, and for that caus, by sindrie lovable lawes, acts, and proclamations, als weill their owne remaining, as their recept prohibited, under diverse high paines, yitt their coloured simplicitie hath so farre prevailed, as they have not onlie purchassed unto themselves favour and credit to be keeped, hoorded, and interteaned in sindrie parts of the realme, after manie promises made, that they sould have departed furth of the same; but als have tane occasioun and leasure to perswade sindrie to apostasie from that religioun, wherin they were weill instructed and grounded; and have confirmed others in their errours, and at last seduced them to cast off that due obedience which they ought to his Majestie, and enter in a treasonable conspiracie for imbringing of strangers, Spaniards, within this realme, the next spring or sooner, to the overthrow of his Hienesse, and all professing the true religioun, and to the ruine and conqueist of his ancient kingdom and libertie, which this natioun hath injoyed so manie ages, that it may be subject heerafter to the slaverie and tyrannie of that proud natioun, which hath made suche unlawfull and cruell conqueist in diverse parts of the world, als weill upon the Christians as infideles, wherever the aide of Spaine hath beene sought, regarding, in the end, no better their imbringers nor them against whom they were imbrought, being once victors and commanders; as easilie may be proved by speciall exemples, which the malicious and unnaturall subjects of this land would repute but as generall and improbable discourses, published in hatred of that natioun, to whom they have alreadie sold themselves slaves, and are their freinds and factours in this land, as they specke and write, were not it hath pleased the good pleasure of Almightie God to make the prooffe heerof certane, and without all doubt, by detecting of the simple truthe of the intentioun and finall caus of all the craftie practises of these pernicious traffiquing Papists, Jesuits, and Seminarie preests, against God, true religioun, his Majestie, and libertie of this countrie; namelie, Mr James Gordoun, father brother to the Erle of Huntlie, Mr Robert Abircrumbie, father brother to the Laird of Murthlie, whose letters, di-

rectiouns, advices, yea, and messingers, cariers of their credit, and certan others cheefe instruments and furtherers of their trade, God hath cast in his Hienesse' hand, when the shippe appointed for their transporting was in full readinesse to make saile, whereby his Majestie is now not onlie sufficientlie forewarned of the imminent danger to the true religioun, his owne estat and persoun, his realme and faithfull subjects, but resolved, with God's helpe, (by whose providence he hath beene so wonderfullie delivered from manie former perrells,) to try the full circumstances of this so high a conspiracie and detestable treasoun; to withstand it, and punishe the same upon all guiltie therof, in exemple to the posteritie, and that none of his subjects heeretofore abused and deceaved by the craftie illusiouns of these pernicious and bussie workemen, sall remaine anie longer doubtfull of the truthe of his Majestie's minde and intentioun: Ordeans letters to be directed to officers of armes, shireffs in that part, to make publicatioun of the premisses, by opin proclamatioun at the mercat croce of the heid burghes of this realme, and other places needfull, forewarning them of their owne danger, if they sall suffer themselves to be anie longer led in errour by suche deceavable spirits, to the perrell of their soules, bodeis, lands, and goods; and, therefore, to absteane from farther hearkening to their treasonable perswasiouns, and from all interteaning, recept, or supplee, or intercommuning or having intelligence with them, directlie or indirectlie, under whatsomever pretext or colour, under the paine of treasoun: Commanding als, all and sindrie his Hienesse' faithfull and obedient subjects, that love and feare God, would the standing and weelefare of his Majestie, their soverane lord and king, professing with him the true and Christian religioun, and desire that their owne wives, barnes, and posteritie, sould now, and heerafter, injoy the commoditeis of this their native countrie unconqueissed, and made slaves in soules and bodeis to mercilesse strangers, that they implore the protectioun and mercie of Almightie God for their defence and safeguard, and putt themselves in armes by all good meanes they can; remaining in full readinesse to persue or defend, as they sall be certified by his Majestie, or other-

wise find the occasioun urgent: in the meane tyme, diligentlie espying, and getting intelligence of the treasonable courses and proceedings of the said Jesuits and Seminarie preests, their favourers, interteaners, and recepters; and make advertisement to his Majestie, or anie of his counsell therof, with all speed and celeritie, as they will answere to God and his Majestie therupon.

(*Sic subscribitur*) "JAMES R."

Upon the 13th of Marche, the king returned from the North to the Palace of Halyrudhous. Little or nothing was done, saving that which is above mentionned; and that the Erle of Huntlie's hous was randered to his wife, the Erle of Erroll's to his wife.

MR J. DAVIDSON'S FAREWEILL TO EDINBURGH.

Upon the 18th of Marche, Mr Johne Davidsone declared from pulpit obscurelie, the causes of his long absence, and shewed how the devill invyed his ministrie, how his calling was called in doubt by the court, how the magistrats had denyed him to be their minister. He offered to let anie man see in writt he was called by the Synod, the Presbyterie of Edinburgh, and the Sessioun of the Kirk of Edinburgh. He desired the godlie not to blame him, if he came not there again; it might be, they would gett worse ghuests in his place. His auditors were muche moved, and shed manie teares, and surelie not without reasoun; for he was a faithfull watcheman, forewarning dangers, a free rebuker of sinne, a familiar and sensible teacher. The same day, conferring with Mr Andrew Melvill upon the iniquitie of the tyme, they discanted upon these words of the Apostle, Ephes. iv., κυβεια των ανθρωπων, and that phrase of Cyprian, "*Anceps temporum palpator.*" Mr Andrew compleaned to him, that the ministrie was all turned to a kinde of politick dealing; and that he never thought to have seene such a generall defectioun and coldnesse in his dayes. Mr Michael Cranstoun teaching upon the Fryday after, in the Great Kirk of Edinburgh, upon the xii. Psalme, inveyghed against the king, lords, and all estats, and regrated that

some fatherlie men were discharged to teache. But the tyme now proveth, that his fervencie at that tyme was not true zeale ; for now he can swallow up camels, where before he could not swallow a gnatt.

BARONBURGH HIS COMMISSIOUN TO THE KING.

The same day, the 18th of Marche, the English ambassader, Baronburgh, gott presence of the king. His commissioun was, to crave warre to be denounced against Spaine, that the conspiratours be persued with all extremitie, the league betuixt the two natiouns renewed, the strenths betuixt the two natiouns garnished, to stoppe the Spaniards to land, and that he would choose professours of the religioun to be upon his counsell. He answered, that he had sent to his mastresse informatioun of the whole discoverie of the treasoun ; that he had persued the rebells, some to the death, and some to the escheating of their goods, and that he had placed lieutenants in their dominiouns ; that he was to forefault them at the nixt parliament ; that he was to choose faithfull patriots, and sincere professours of the reformed religioun to be his counsellers ; that he sould take the best order for the borders he could ; but reasoun craved, that the queene sould assist him with money to resist the Spaniard, and to represse the rebells. At last, he desired that the queene his maistresse would punishe the favourers and recepters of Bothwell in England, and to deliver him, if he stayed there. These answeres are set down in Camden's Annales. But I find in a certane manuscript, that he receaved this answere ; that the King of Spaine remained our confederat, and meaned no harme to us, howbeit he had just querrell against England. When the English ambassader came heere, the yeere 1588, to crave our assistance to withstand the Spaniards, and licence to levie ten thowsand men incace there had been need, promises were made to nominat the king secund person of the crowne, and to install him Prince of Wales. But the Spaniard being disappointed of his interprise, it was alledged, that that ambassader had past beyond the bounds of his commissioun, and, therefore, deserved to be hanged. Nixt, he

would receave no injunctiouns for spairing or punishing of his subjects. As for the league, there was no breache, therefore there was no need of renewing.

THE CONSPIRATORS SUMMOUNED TO COMPEERE IN PARLIAMENT.

Upon the 6th of Februar, Huntlie, Erroll, Angus, Auchindoun, were denounced the king's rebells, and putt to the horne, but were relaxed from the horne the 19th of Marche, and summouned to compeere in parliament the 2d of June. Mackclain with his complices were summouned to compeere at the said parliament, for burning Angus Mackoneill's lands, the yeere 1589. This day, the parliament was indicted by proclamatioun at the Croce of Edinburgh, by the Lyon Herald and his brethrein, to be holdin the 1st day of June.

Upon the Lord's day, the 25th of Marche, Ladyland was lett free out of the Tolbuith of Edinburgh, at the king's command, foure sureteis being taikin for his re-entering in waird at Glasgow, at the king's pleasure.

THE * * GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Dundie, the 24th of Aprile. Exhortatioun being made by Mr Robert Bruce, Moderator of the last Assemblie, and Mrs David Lindsay, James Balfour, James Nicolsone, Andrew Melvill, Patrik Simsone, being removed, Mr David was chosin Moderator.

ARTICLES.

Sessioun 4.

The commissioners underwrittin, viz., the Lairds of Abbotshall, Wedderburne, and Merchinstoun, Johne Arnot, and William Littill, sometymes Proveist of Edinburgh, Clement Cor, Mrs Robert

Bruce, Patrik Galloway, James Nicolsone, Walter Balcalquall, presented these articles following unto his Majestie and counsell :—

"First, Seing Papistrie increasseth daylie within this realme, it is craved of his Majestie, that all Papists within the same may be punished according to the lawes of God and the realme.

"*Item*, That the act of parliament of *ipso facto* may strike upon all maner of men, landed and unlanded, constituted in office or otherwise, of what sort soever they be, als weill as the same is provided to strike against beneficed persons.

"*Item*, That a declaratour may be givin against Jesuits, Seminarie preests, and traffiquing Papists, declaring them culpable of treasoun and lese majestie, whereby the recepters of suche persons may be punished according to the act of parliament; and that reformatioun may be had of the said act, on that part where the samine is onlie extended against suche persons as recept them by the space of three dayes; and that the penaltie of the act may be inflicted against anie recepters, without anie conditioun of dayes.

"*Item*, All suche persons as the kirk sall find and declare publictlie to be Papists, although they be not excommunicated, be debarred from bruiking anie office within the realme; as also, from accesse to his Majestie's companie, and from injoying anie benefite of the lawes; as also, that the paine of horning and other civill paines may follow upon the said declaratour, siclyke as presentlie followeth upon the sentence of excommunicatioun; and that an act of counsell presentlie be made and published therupon, whill the nixt parliament, where the samine may be established in a law.

"*Item*, That his Majestie would consider the great prejudice done to the whole kirk, by erecting of the tithes of diverse prelaceis in temporalitie, as of the Abbey of Paisley, and sindrie others, by which the planting of kirks is greatlie prejudged; and that, therefore, a substantiall order be tane for remeed therof."

Sessioun 7.

Ordeans a supplicatioun to be made in parliament, that in all

kirks, als weill abbey and cathedrall kirks, and others whatsomever, where ather the whole parish is kirk land, or a part therof onlie, and there hath beene neither manse nor gleeb knowne to apperteane thereto of old, that the estats of the parliament make the act concerning the designatioun of manses and gleebs to be extended to all the foresaid kirks; and that there be foure aiker of land designed and granted to the minister, most commodious and ewest the kirk, whether there hath beene a gleeb there or not, or a part onlie, not extending to foure aiker of land.

THE KING'S ARTICLES TO THE ASSEMBLIE.

In presence of the whole Assemblie, compeered Sir James Melvill of Halhill, one of the commissioners directed by his Majestie to compeere in his Hienesse' name, as commissioner, and presented his Majestie's missive directed to that effect, with certan articles, and an act of parliament for the instructing therof, which the Assemblie thought meete to be considered by certane brethrein, who were appointed to conferre with his Majestie's commissioner. And to that effect, were dispatched out of the Assemblie, to advise and give their opinioun at their returne, to witt, Mrs Robert Bruce, Robert Pont, Andrew Melvill, James Nicolsone, Peter Blekburne, James Melvill, the Laird of Cambo, Commissioners of Edinburgh, who returning, read the articles and their answeres, which the Assemblie approved, ordeaning the saids articles, answeres thereto, and act of parliament, to be insert in the Register of the Kirk, wherof the tenour followeth:—

THE ARTICLES PROPOUNED IN HIS MAJESTIE'S NAME TO THE GENERALL ASSEMBLIE PRESENTLIE CONVEENED AT DUNDIE.

"His Majestie declareth, that in respect he cannot of honour see the priviledge of his crowne hurt, therefore he will have regarde to see the act of his last parliament keeped, concerning the conveening of the Generall Assembleis by his Majestie's appointment;

willing them heerefore, before their skailling, to direct two or three of their number unto him, to desire him to appoint the day and place of their nixt conveening.

"Secundlie, His Majestie desireth them to make an act of their Assemblie, prohibiting all and everie one of the ministrie, under the paine of deprivatioun, to declame against his Majestie or counsell's proceedings in pulpit, not onlie in respect of his Majestie's knowne good intentioun for the furthsetting of pietie and justice, but likewise, becaus his Majestie at all tymes giveth readie accesse and loving eare to sindrie of the ministrie, to informe, delate, or compleane, ather in their owne name, or in the name of anie of the rest of the brethrein.

"Thridlie, His Majestie desires them to appoint and put on leit five or six of the discreitest of the ministrie, that his Majestie may make choice of two of them to serve in his hous, in respect of Mr Craig his decrepit age.

"Ferdlie, Seing that the standing of the religioun and weelefare of his Majestie's person are so inseparablie joyned, and whosoever are enemeis to one are commoun enemeis to both, so his Majestie desireth, that through all the presbytereis of this countrie there sall be some appointed to advertise and informe his Majestie heereafter with diligence, for the more speedie remedie not onlie of whatsomever practises they can learne in anie wise of Papists and Spanish factioners, but also of the recepts and practises of Bothwell, wherof they can have anie knowledge; whose whole courses, as they are directlie against his Majestie's persoun, so whollie they tend to the subversioun of the whole religioun: With directioun also to them to informe the whole barons and honest men, most tenderers of his Majestie's weelefare, to give ever suche faithfull intelligence of the said practises as they can learne from tyme to tyme.

"Fyftlie, His Majestie desireth, that through all the countrie where there are anie ports or landing places, that there be some of the brethrein speciallie appointed to deale so with the burghes, that they may take good and sufficient tryell, according to his Majestie's law made theranent, of all these that sall heerafter come in, or

passe furth of this countrie, wherefra they come, and whereto they are boun, what is their traffique, or intentioun to doe; and sua, after good and sufficient tryell, if there be anie thing of weight and importance, that they in no wise faile to make his Majestie acquainted therewith all, to the effect his Majestie may the more easilie discover whatsomever forrane or civill practises is, or sall be in heed, against the present estat of the religioun. And this he craveth to be done so faithfullie, as he hath good opinioun of your earnest affectioun, no lesse in the preservatioun of his Majestie's owne persoun, as in the defence of the commoun caus. As also, he promiseth to aide and assist you in all and whatsomever your good resolutions, that may tend to the furtherance of peace and quietnesse, with the advancement and maintenance of the religioun presentlie professed in this realme."

HUMBLE ANSWERES OF THE GENERALL ASSEMBLIE TO THE ARTICLES PROPONNED BY HIS MAJESTIE'S COMMISSIONERS TO THE SAME AT DUNDIE, THE 27TH OF APRILE.

"First, The article concerning the conveening of the said Generall Assemblie is agreed unto, according to the tenour of the act of parliament, presented with the said articles.

"As tuiching the secund article, it is ordeaned by the whole Assemblie, that no minister within the realme utter from pulpit anie rash or unreverend speeches against his Majestie or counsell, or their proceedings; but that all their publict admonitiouns proceed upon just and necessar causes, and sufficient warrant, in all feare, love, and reverence, under the paine of deposing suche as doe in the contrare from their functioun and office of the ministrie.

"As to the thrid article, the Assemblie agreeth thereto; and speciallie, tuiching the provisioun of ministers, one or moe, to his Majestie, that certane be nominated by the commissioners directed to his Grace, with his advice, of whom his Majestie may make choice; and that the brethrein to be leitted of his Majestie to be

placed and admitted by the presbyterie where his Grace sall be resident for the tyme.

"As concerning the ferd and fyft articles, the samine are condescended unto, and order taikin, as his Majestie sall be particularlie informed by the said commissioners."

FOLLOWETH THE TENOR OF THE ACT OF PARLIAMENT.

In the parliament holdin at Edinburgh, the fyft day of Junie, the yeere of God 1592 yeeres, our soverane lord, and estats of this present parliament, following the lovable and good exemple of their predecessors, have ratified and approved, and by the tenour of this present act ratifie and approve, etc.—*Vide cætera in Parl.* 12, Ja. VI.

NUMBER OF THE PRESBYTEREIS.

Sessioun 4.

Forasmuche as the number of the presbytereis within this realme and their places would be knowne, the names therof being inquired, the full assemblie and number of the same was givin up as followeth; viz., one presbyterie in Zetland, called Tingwell. In Orkney, Kirkwall. In Cathnesse, Thurso. In Sutherland, Dorno. In Rosse, two; Tane and the Channonrie. In Murrey, foure; Innernesse, Forresse, Elgine, and Ruthven. In Aberdeene, five; Bamf, Deir, Inneroure, Aberdeen, Kincairdin. In Mernes, one; Coway. In Angus, foure; Brechin, Arbroth, Megill, Dundie. In Dunkelden, one; viz., Dunkelden. In Perth, St Johnstoun, Dumblane. In Fife, foure; St Andrewes, Couper, Dumfermline, Kirkaldie. In Stirline, one; Linlithquo. In Lothian, foure; Edinburgh, Dalkeith, Hadintoun, Dumbar. In Tweeddaill, Peebles. In the Merce, two; Chirneside, Dunce. In Tiviotdaill, two; Jedburgh and Melrose. In Nithisdaill, one; Dumfreis. In Galloway, two; Kirkcudbright and Wigtoun. In the shirefdom of Air, two; viz., Air and Irwing. In Renfrew, Paisley. In Len-

noxshire, one; Dumbartane. In Cliddisdaill, three; Glasgow, Hammiltoun, and Lanark.

COMMISSION FOR VISITATION.

Sessioun 4.

Forasmuche as the visitatiouns of the presbytereis universallie throughout the whole realme is thought a thing verie necessar, and from diverse Assembleis commissiouns have beene givin to that effect: Notthelesse, a necessitie yitt remaining, which craving the continuing of the said commissioun: The Assemblie, therefore, and commissioners present, have givin commissioun to certane brethrein to visite and try the doctrine, life and conversatioun, diligence and fidelitie of the pastors within the said presbytereis, and siclyke, to try if there be anie of the beneficed number within the same not making residence, having no reasonable caus to purge the same; if there be anie that have dilapidated their benefices, sett tackes, and made other dispositiouns therof, by the consent of the Generall Assemblie; anie slanderous person unmeete to serve in the kirk of God, and unable and unqualified to teache and edifie: And with advice of the presbyterie within the which the saids persons are, to proceed against them, according to the qualitie of the offence, or undispositiouns of their offices, according to the acts of the kirk. And that for shortning of the commissioners' travells, a diligent tryell among themselves be taikin before the commissioners' comming, wherin they may understand and note the abuse which would be corrected, commanding also the presbytereis within the which the said commissioners remaine, to provide for the said commissioners' flockes in their absence in the said visitatioun.

COMMISSION TO PRESENT ARTICLES TO THE PARLIAMENT.

Sessioun 9.

Becaus the whole Assemblie could not meete before the parlia-

ment, to be holdin in Junie nixt, it is ordeanned, that a brother or two of everie presbyterie sall meete, to consult, treate, resolve, and conclude upon suche heeds, articles, petitiouns, and supplicatiouns, as they sall thinke meete to be craved and concluded by consent of parliament, to the glorie of God, and confort of the generall kirk. Which brethrein sall have the power of the said Generall Assemblie, and proceed as the samine might doe if the whole number were present.

ACTS.

Sessioun 8.

Tuiching colledges and rents therof, the Assemblie hath ordeaned, that no dispositioun of the rents and living therof by tacke, or other title, be made, without the advice and consent of the Assemblie Generall, under the paine of depositioun of the persons doing in the contrare.

Tuiching the residence of ministers, for furthering of the residence of suche persons as, for laike of manses, are non-resident, it is resolved and agreed, that everie parish where the pastor's manse is ather ruinous or altogether laiketh, be ordeanned to repaire and build the same manse upon their owne expences, with stone, timber, and all other materialls, workmanship, cariage, and other things needfull for the repairing and bigging therof. Which if they faile and refuse to doe, being duelie required, they sall not onlie, so manie as refuse, be holdin by the kirk the whole caus of their pastor's non-residence, but als it sall be lawfull to the heyres, executors, and assigneyes of the minister or reader departing, or himself during his tyme, to reteane the possessioun of the manse builded by him, incace he build and repaire the same upon his owne expences, after the refusall of the parochiners, ay and whill the intrant minister or reader succeeding refound to him, his heyres, executors, and assigneyes, the whole expences made by him for repairing and building, at the least so muche therof as the parochin

cannot be moved to refound. And that the presbyterie, at the intrant's admissioun, take order for performance heerof, providing, that the expences to be made by the said pastor or reader exceed not foure hundreth merkes, and that the presbyterie, after the repairing or building of the said manse, take up the exact tryell and compt of his expences, and give him their allowance therupon, to be registred in their bookes: and this act to be extended, als weill to them that are alive, and have alreadie builded, as to them that are to build or repaire heerafter. And, likewise, the secund and thrid minister or reader, and, consequentlie, the successours to the ministers, where the manse is builded, sall have the like title to crave of the intrant after him the said expences which he hath debursed to his predecessors, ay and whill the parochiners redeeme and outquite the said manses or building therof, to be made free therafter to the intrant minister or reader.

Sessioun 9.

Forasmuche as, in Synodall Assembleis, the bookes of particular presbytereis are tryed and visited, and heeretofore the bookes of the Synodall Assembleis have not beene tryed in the generall; which appeareth to the whole brethrein to be necessar; therefore, it is concluded, in tyme comming, to everie Generall Assemblie, the bookes of the Synodall Assembleis sall be directed by the synodalls to be sighted and considered in the Generall Assemblie, for understanding the better of their proceedings, under the paine of the censures of the kirk.

Tuiching controverseis betuixt the brethrein of the ministrie, for uptaiking therof, it is resolved and concluded, by the whole brethrein and commissioners present, that where anie pley or controversie ariseth betuixt two brethrein of the ministrie, though it be in civill maters, if they be of one presbyterie, that they elect brethrein of the said presbyterie, to what number they thinke best, who sall choose an overman, and summarlie decide and give sentence in the mater, which sall be irrevocable, and no appellatioun to be

interpouned therefra. And if they be of diverse presbytereis, they likewise make electioun of brethrein of either of the presbytereis, in equall number, as the said contendents sall agree: which brethrein so elected sall choose an overman, and decide, and give sentence as said is, from the which no appellatioun sall be interpouned. And if anie brethrein will be wilful, and refuse this forme and submissioun, he sall be holdin by the kirk contumax: and that this act be putt in executioun presentlie, for decisioun of the controversie betuixt James Andersone and Mr Henrie Guthrie.

The Generall Assemblie, by the authoritie givin to them of God, dischargeth all and everie Christian within the kirk of Scotland from repairing to anie of the King of Spaine his dominiouns, where the tyrannie of inquisitioun is used, for traffique with merchandice, negociatioun, or exercising of seafairing occupatioun, untill the tyme the king's Majestie, by advice of the counsell, have sought and obteaned speciall libertie and licence from the King of Spaine, for all his lieges and subjects to traffique in merchandice, and occupie within the whole parts of the said King of Spain's dominiouns, without anie danger to their persons or goods, for the caus of their religioun and conscience; under the paine of incurring the censures of the kirk, untill the last sentence of excommunication.

About this tyme, the Duke of Lennox, the Lord Spynie, and Sir James Sandelands, were reconciled, and receaved into the court.

A CONVENTIOUN OF THE NOBILITIE.

A conventioun of the nobilitie was holdin in the beginning of May, but rare and unfrequent: Argile, Morton, Maister of Glames, Lord Lindsey, Lord Setoun, were in effect all that mett. Nothing done, but agreed upon, that Bothwell sould ather be apprehended, or forced to leave the countrie. At this tyme, the king sought a whinger to throw at William Murrey, for compairing Huntlie to Bothwell in wickednesse.

CLUNIE CRICHTON EXAMINED.

Upon Wednisday, the secund of May, Clunie Crichtoun was apprehended, and sharpelie examined before the king and counsell, for intentioun to have taikin the king by the horse brydle, and to convoy him to Bothwell.

THE CHANCELLER COMETH TO COURT.

About this tyme, Chanceller Matlane came to court, and was restored to the exercise of his office.

MR W. BALCALQUALL HIS OBSERVATION.

Upon Fryday, the 25th of May, Mr Walter Balcalquall, in his sermoun, regraited the decay of the zeale of Scotland, and layed all the blame of the disorders upon the king. He said, Moses had als few to helpe him, when he came doun from the mountaine with Josuah, to punish the idolatrie of the people, as he had.

AN ADVICE TO THE KING.

The same day was the advice following exhibited to his Majestie, but to none availl:—

"That my Ladie Huntlie remove her self beyond Tay, and all suche as come with her to passe home.

"That all suche as have solicited his Majestie in favours of the three erles and their complices, in their present course, contrare the act and promise made, or who are suspected to favour them, be removed from his Majestie's companie, whill the persons under processe be tryed by law. The names are best known to his Hienesse' self.

"That his whole counsellers and domestick servants purge themselves upon their oaths, if they have solicited his Majestie in favours

of the said erles; and who refuseth to give purgation to be removed from his Majestie.

"If the persons under processe will offer to enter in waird whill their tryell, that their wairding be sure, and in the custodie of suche persons as are not knowne to be their favourers; and that their tryell be onlie by the parliament.

"Since the parliament can not now weill hold at the first day, that the continuatioun be to suche a short day therafter as is possible; and at that tyme, to proceed without farther delay or continuation.

"That his Majestie will settle himself upon a number of resident counsellers, knowne honest, expert, and zealous to his service, and releeve himself of a part of his owne great burthein, by laying the care of the effairs of his estat upon them, as they will be answerable to God, to his Majestie, to their countrie, and to the whole world."

THE KING PRIVIE TO THE TRAFFIQUING.

Mr Johne Davidsone, in his Diarie, recordeth on the 26th of May, that among the letters of the traffiquers intercepted were found one to the Prince of Parma, which tuiched the king with knowledge and approbatioun of the traffiquing, and promise of assistance, &c., but that it was not thought expedient to publishe it. Mr Johne was acquaint with the discoverie, and all the intercepted letters, and made a preface to be prefixed to the printed discoverie, and a directorie for understanding the borrowed and counterfooted names.

JOHNSTON ESCAPETH OUT OF WAIRD.

Upon the 4th of Junie, the Laird of Johnestoun escaped out of the Castell of Edinburgh, betuixt the ellevinth and twelve houre of the day. He was wairded a little before, for the slaughter of

some of the Lord Fleming and the Laird of Dumlanrig's dependers.

A GENTLE WOMAN RAVISHED.

James Gray, brother to the Maister of Gray, ravished a gentle woman, apparent heyre to her father, Johne Carnegie; but was randered again, at command of the counsell, to her father. She was again ravished by the said James, out of Robert Gowssei's hous, in Edinburgh, where she and her father remained for the tyme; was hailled doun a closse to the North Loche, and convoyed over in a boat, where there were about ten or twelve men on the other side to receave her. They sett her upon a man's sadle, and convoyed her away, her haire hanging about her face. The Lord Hume keeped the High Street with armed men till the fact was accomplished. Upon Moonday, the elleventh of June, the proveist interprising with some bailliffes betweene ten and ellevin at night, to apprehend James Hendersone, burgesse, an adulterer, and one who had beene at the late ravishing out of * * Bannatyne, the skinner's hous, was repulsed. A deboscheđ minister, called Bishop, tooke the proveist by the throat, after he had charged Hendersone to waird. The Laird of Hattoun withstood that anie man sould have him; yea, they shott at the proveist. Wherupon Bishop was slaine, Hattoun was hurt in the head, and Hendersone was caried to the Tolbuith. The day following, the proveist and bailiffes went to the king and compleanned. The king desired to know if they could compleane of anie that was about him. In the meane tyme, my Lord Hume, the cheefe author of the uproare or ryott committed the last Lord's day, was standing by. They answered nothing, because they expected for no justice.

SIR R. MELVILL'S AMBASSADGE.

Upon the 7th of June, Sir Robert Melvill went in ambassadge

to the Queen of England, with an answere in writt to the last ambassader's articles, and to receave the king's annuitie; to crave Bothwell to be delivered, and aide to persue the rebells. It was answered, that, according to the transactioun in former treateis, Bothwell sould ather be randered, or forced to remove out of England. As for aide, none was due but for resistance of forainers; yitt some money was sent to the king.

A DAY OF LAW.

Upon Tuisday, the 19th of June, [there was] a great conventioun in Edinburgh, by reasoun of a day of law; Argile, the Shireff of Air, the Erle of Morton, Dowglas, and manie with them, for the Laird of Caddell's slaughter; the Lairds of Arkinlesse, Glenurquhart, and manie freinds with them, defenders. The Chanceller imployed his credit and moyen also for conveening of his freinds, under colour of the said day of law, viz., Arbrothe, Montrose, Setoun, Livingstoun, Glencarne, Eglintoun, and sindrie others, who all accompanied the Lord Hammiltoun on the streets. The king being informed that it tended to unquietnesse, commanded them to keepe their loodgings, and after dealt with the Chanceller to intreate them to depart in peace. The other factioun, to witt, the duke, Marr, Mortoun, Hume, Maister of Glames, Sir George Hume, Sir James Sandelands, Spynie, puffed up with the queen's countenance, who caried no good will to the Chanceller, thought to bring in Captan James Stewart, called, *alias*, Lord Quondam, in hatred of the Chanceller. The Lord Maxwell, the Laird of Cesfurde, were not yitt come, but were to come within three dayes. They were stayed. The rest were desired to depart. The Chanceller himself also raid out of the toun, accompanied with three hundreth hors. The king promised to the Chanceller to call for him again before the parliament. The king wrote to Sir Robert Melvill, his ambassader, lying at Londoun; will d him to assure the queene of holding of the parliament, for forfaulting of Huntlie,

Erroll, and Angus, and that the Chanceller sould be restored to his owne office.

MR G. KER ESCAPETH OUT OF WAIRD.

Upon Thursday, the 21st of June, Mr George Ker escaped out of the Castell of Edinburgh. Some were sent out to persue after him; but they persued one way, and he was convoyed another way. Mr Walter Balcalquall declamed, the day following, in his sermoun, against suche mockerie.

AN AMBASSADER FROM DENMARKE.

Upon Moonday, the 2d of Julie, the Danish ambassader was convoyed by the Queen's Ferrie to Dumfermline, with two hundreth hors. He had a commissioun from the King of Denmarke, to see the queene possessed in her joynture, and that the same be ratified in parliament.

A PARLIAMENT.

Upon Moonday, the 16th of Julie, the king came to the Tolbuith of Edinburgh, to hold parliament. The duke caried the crowne, Argile the scepter, Morton the sword. The king had on his right hand Sir James Sandelands, on his left Mr William Leslie. Few erles repaired to this parliament.

The king shewed to the commissioners of the kirk that his advocat, Mr David Makgill, had assured him that Huntlie, Angus, and Erroll, could not be forefaulted at this tyme, for laike of probatioun; that few things were to be treated at this parliament; that the cheefe occasioun of indicting it was the confirmatioun of the abbacie of Dumfermline to the queene.

Upon Tuisday, the 17th, the ministers mett in the Little Kirk, two commissioners from everie presbyterie. They consulted,

whether they sould propone anie thing at all to the king in parliament, seing no order was to be taikin with the traffiquing Papists. At last, Mr Robert Bruce, Mr Andrew Melvill, Mr Patrik Galloway, Mr David Lindsay, were directed to the king, to understand what they might expect. The articles which were to be propouned to the parliament were read, and appointed to be reformed, but to no purpose. The commissioners desired, that if nothing were done in favours of the kirk, that nothing be done in prejudice of her liberteis. The king said that was reasoun. So, little good was done at this parliament, saving that mercats and faires were forbiddin on the Sabboth day; contemners of the decreets of the kirk ordeaned to be denounced rebells; an act made, that ministers' gleebs be designed furth of anie kirk lands; that ministers' stipends be free of impositiouns: an act made against sayers of masse, recepters or interteaners of excommunicated Papists by the space of three nights together, or three nights at severall tymes. Dumfermline was confirmed to the queene. Bothwell was forfaulted. Huntlie, Erroll, and Angus, were not forefaulted; for offers were givin, in their names, to satisfie the king and the kirk. Upon the 21st day of Julie the acts were read and concluded. Within the space of an houre the heralds, pursevants, and trumpeters, went to the Croce of Edinburgh, where Francis, some tyme Erle of Bothwell his forefaultrie was intimated.

MR J. DAVIDSONE HIS REBOOKE.

Upon the Lord's day, the 22d of Julie, Mr Johne Davidsone, teaching after noone upon the two last verses of 1 Thes. i., called the last parliament a blacke parliament, becaus iniquitie was come in rowme of equitie in the high court of justice, instituted cheefelie for the punishment of arch-tratours. "Our arch-tratours," said he, "have not onlie escaped, but in a maner are absolved, in that they have escaped as men against whom no probation could be gottin. The absolving of the wicked," said he, "imported the persecutioun of the righteous, except God restrained the adversareis." He

prayed that the Lord would compell the king, by his sanctified plagues, to turne to Him rather er he perish; otherwise, that he would guide his governement to the weelefare of his kirk, whether he would or not.

BLOODIE SHIRTS CARIED THROUGH THE STREETS OF EDINBURGH.

Upon the same day, after noone, the 22d of Julie, there came certane poore weomen out of the south countrie, with fyfteene bloodie shirts, to compleane to the king that their husbands, sonnes, and servants, were cruellie murthered in their owne houses by the Laird of Johnstoun, themselves spoiled, and nothing left them. The poore weomen, seing they could not gett satisfactioun, caused the bloodie shirts to be caried by pyoners through the toun of Edinburgh, upon Moonday, the 23d of Julie. The people were muche moved, and cryed out for a vengeance upon the king and counsell. The king [was] nothing moved, but against the toun of Edinburgh and the ministrie. The court alledged they had procured that spectacle in contempt of the king.

Upon Tuisday, the 24th of Julie, the Erle Bothwell came to the Palace of Halyrudhous, at the backe gate, which openeth to the Ladie Gowrie's hous, as the Ladie Atholl was comming from the king and queene to her mother, to take good night. He rapped rudelie at the king's chamber doore, which was opened by the Erle of Atholl, or, as others report, by a padge; the king sitting in the meane tyme upon the privie, and William Murrey with him. The king would have gone to the queen's chamber, but the doore was locked, and the duke, Atholl, Uchiltrie, Spynie, Dunipace, went between him and the doore, and interceeded for him. The king seing no o her refuge, asked what they meant? Came they to seeke his life? lett them take it: they would not gett his soule. Bothwell sitting upon his knees, and Mr Johne Colvill with him, said, he sought not his life, but came to seeke his Hienesse' pardoun for the Road of the Abbey, and the Road of Falkland; offered to thole an assise for witchecraft, and seeking the king's life,

directlie or indirectlie; and after he was tryed and purged, to depart out of the realme at his pleasure, to anie other realme his Majestie would prescribe; to joyne himself to no other course nor his Majestie sould command; to attempt no novatioun of the estat, no change of officers of estat, to like of them whom his Majestie liked. Upon these and suche other conditiouns they agreed, and his Majestie pardouned him all bygans.

The toun of Edinburgh being wairned by the knell of the commoun bell twise, there was great confusioun in the streets. The proveist, bailliffes, and sindrie others, about an hundreth persons, went doun in armes to the palace, others following, but slowlie. Alexander Hume of Northberuick, with a few gentlemen, came to the king's palace window, desiring to know his estat and will, offering to rescue him, or ellis to lose their lives. The king answered, the Erle Bothwell had come in upon him by his expectatioun and foreknowledge; had promised faire, and if he keeped, he would keepe to him; wherupon he desired them to retire themselves a little, till he commouned farther with them. They went toward the south-west corner of the Abbey closse, and after a prettie space returned, and receaved this answere, That they were finallie agreed. In the meane tyme, there fell out some hote words betweene the Erle Bothwell and the Goodman of Northberuick. Bothwell said he had done, would doe, and could doe, als muche in the king's service as anie Hume in the Merce, and would reckon with him another tyme. In the meane tyme, the duke keeped the backe gate, the Laird of Craigiehall the fore gate.

THE CONDITIONS GRANTED BY THE KING TO THE ERLE OF BOTHWELL AND HIS PARTAKERS, AFTER HE WAS PURGED BY THE ASSISE.

"Full remissioun of all bygane offences done to his Majestie and his authoritie preceeding this day; never to be querrelled heerafter; and that they receave present possessioun, restauration, and all other securitie of their lives, lands, goods, and houses; and his

Hienesse sall ratifie the same, in the parliament to be holdin betuixt and the 20th day of November nixtocum, according to the act of repossessioun made in the parliament holdin at Linlithquo; and this present act to serve as a sufficient securitie in the meane tyme till the parliament. These persons following sall no wise repaire to the king's companie, viz., The Lord Hume, the Chanceller, the Maister of Glames, Treasurer, Sir George Hume. His Majestie's will is, the said erle, his companie and assisters, retire them to their owne dwelling-places, or where they thinke good; and that he sall call unto him suche as he sall thinke expedient to await on him." This he promised to hold firm and stable, by the word of a prince.

(*Sic subscribitur*)

James R., Lennox, Atholl, Johne Lord Forbesse, Andrew Lord Uchiltrie, Alexander Lord Spynie, Patrik Maister of Gray, Sir Robert Melvill, Alexander Setoun, Lord Urquhart, Mr James Elphinstoun, Alexander Skeene, Clerk Register, Nicoll Udward, Proveist of Edinburgh, Johne Moresone, Bailliffe, George Todrick, Bailliffe, David Williamsone, Bailliffe, James Inglis, Bailliffe, Mr David Lindsey, Minister, Mr Robert Bruce, Minister, Mr Robert Rollock, Minister, Mr Patrik Galloway, Mr Walter Balcalquall, Mr William Watsone, Ministers.

Upon Fryday, the tenth of August, Bothwell was purged by an assise.

The Maister of Glames, the Lord Morton, Blantyre, shifted themselves off court. The Hammiltouns and their freinds, the Lord Hume, who had the abbacie of Coldinghame, Sir George Hume, who had the Laird of Spott his patrimonie, all stormed. In the meane tyme, Huntlie, upon the seventh and eight dayes of August, was burning, killing, and slaying, in Murrey land.

After that Bothwell was purged by an assise, the king preassing to goe to Falkland, was stayed by him and his factioun, Atholl,

Uchiltrie, Spynie, &c. Bothwell said they would follow him wheresoever he went. The king conveenned the counsell, and sent for the ministers; compleaned he was deteaned prisoner, and unduetifullie handled. It was appointed that the king sould goe where he pleased, and take with him in companie whom he pleased; Bothwell likewise where he pleased. Onelie the Chanceller, Lord Hume, Sir George Hume, and Maister of Glames, sould not come to court before the parliament, at what tyme Bothwell was to be restored. So the king went to Falkland, and within three dayes after to Stirline. The indenture betuixt Bothwell and the king may be gathered of the letter following, writtin by Mr Robert Bruce to the brethrein of the Presbyterie of Dumfermline; and the conditiouns above writtin.

"Brethrein,—Although it be not necessarie, yitt for the bearer's satisfactioun yee sall understand, that from hard and high extremiteis, we have brought the mater to a reasonable pacificatioun. The counsell, sessioun, and ministrie of this burgh, are, after a sort, become obliged, that the king sall keepe and stand to his promise. The effect of the promise standeth in this, that they sall have the benefite * * * * and a day affixed, to witt, the tenth of November, where in parliament these promises sall be ratified. My Lord Bothwell sall remaine from the court in the meane tyme, and their enemeis, namelie, the Chanceller, the Maister of Glames, Sir George Hume, my Lord Hume, together with the Spanish factioun, sall remaine off court till the said day. After the issue of the which, the Lord Bothwell sall have libertie to remaine, byde, and goe at his pleasure. This farre for the bearer's satisfactioun, referring the rest to his sufficiencie. No farther, but committs you to God.

"At Edinburgh, the 15th of August, 1593.

"Your brother,

"Robert Bruce."

Upon Fryday, the seventh of September, there was a conventioun holdin at Stirline. At this conventioun holdin at Stirline,

the nobilitie being conveenned with the king, sent for Bothwell to meete certane commissioners at Linlithquo, the ellevinth day. to witt, the Pryour of Blantyre, Mr Robert Bruce, minister, Johne Robertsone, merchant, burgesse of Edinburgh. He obeyed, and mett them. It was declared by his Majestie, with advice of the estats presentlie assembled, that he, as a free prince, may at his pleasure take to his service and companie suche of the nobilitie, and others good subjects, as he best lyked. The Erle Bothwell or anie of his companie being in danger of the king's lawes, and needing no farther remissioun, sall not repaire to his Majestie without his licence. The king will alwise have the erle, his sonne, and complices, effectuallie, and without delay, restored. And for safetie of his Hienesse' honour, the late forme subscribed at Halyrudhous is suche as by law he may free himself of, if he please; notwithstanding, for quietnesse of the realme presentlie assembled, he can be content now, being at full libertie, and rypelie advised with the estats, the said erle suting to him and his complices, whom he sall specifie by name and surname, remissioun of their former offences, and attempts against his persoun at Halyrudhous, first and last; and at Falkland, or other of the like qualiteis. As also, restitutioun to their livings, and sall caus the same be ratified in the nixt parliament, to be holdin and concluded before the 20th of November nixtocum, the erle finding suretie, that within suche space as the king pleases after the said parliament, to depart out of the realme beyond sea, where he sall remaine during the king's pleasure, and not to returne till he obteane his licence; and during his absence sall remaine in suche places as he sall appoint to him. His complices in the late troubles to be speciallie nominated in his remissioun, sall remaine at their dwelling-houses, and no wise resort to the court without warrant or licence; and that his Majestie sall be a father to his childrein, and benefite them with his whole living.

The same night, the king accompanied with the duke, the Erles of Marr and Morton, went out of Stirline to the new hous beside Lochlevin, where the Lord Hume, the Maister of Glames, Sir George Hume, and others of that factioun, mett them with a great

companie, and were receaved to court again by his Majestie. The conclusioun of the estats being declared to Bothwell, he promised to performe the same, at his Majestie's pleasure. Sir Robert Melvill, Mr David Lindsey, and Mr Robert Bruce, ministers, went to Falkland to the king, and reported his answere, wherewith the king was weill content. Soone after, the king, by the instigatioun of the Lord Hume, Sir George Hume, the Laird of Carmichaell, and others of that factioun, his heart was altogether alienated again from Bothwell, and turned to extreme hatred. The king cometh to Linlithquo. The Chanceller, accompanied with Sir Robert Ker, younger of Cesfurde, and his freinds, to the number of 200 men in armes, came to the king. The Chanceller and Maister of Glames were reconciled, and likewise the Lord Hume and the Laird of Cesfurde.

Upon the 22d of September, the Erle Bothwell, his servants and dependers, were discharged, by opin proclamatioun at the Mercat Croce of Edinburgh, to come neere the king within ten myles, unlesse they were sent for, under paine of treasoun.

THE PROVINCIALL SYNOD OF FIFE.

The Provinciall Assemblie of Fife conveened at St Andrewes the 25th of September, 1593. After incalling of the name of God, they thought it was their duetie, first, and above all things, to consult upon the present dangers of the kirk, and how they might be avoided. Mr Johne Davidsone being there present, and his judgement asked, regraited that the coldnesse and negligence of the ministrie had been the occasioun of great dangers, and said, he feared except their fault were redressed, greater inconveniences would yitt fall out thereby, both among themselves, and to the hurt of the people, &c. Mr Thomas Buchanan said, his feare was no sound argument in suche maters. The Moderator, Mr James Melvill, willed Mr Davidsone to proceed. Mr Davidsone proceeded, and shewed the danger to proceed from the defectioun of the king, and his dispositioun presentlie alienated from the good caus.

"For remeed," sayeth he, "I thinke we sould gett us to the ordinarie and lawfull armour of fasting and prayer; and that theranent we sould take present order for our owne bounds, and to require the rest of the synods to concurre, that the fast may be universall, so farre as could be, and that the heeds of the fast sould be plainlie sett doun to the view of other assembleis, to adde, change, or diminish, as they thought good; as also, that a grave message of pastors, barons, and burgesses, might be chosin, to be sent to the king with all expeditioun, with concurrence of other synods, and meetings of all their commissioners to be agreed upon by all their consents." This past in voting, and sindrie of the barons who were present agreed. All the consultatioun afterward was tuiching the qualificatioun of these generalls; as who sould be commissioners to the Synodalls, and from them to the king, and what articles were to be propouned. Upon Wedinsday, the 26th, Mr Johne Davidsone taught upon the good stewart, in the xii. of Luke, in the parish kirk of St Andrewes. He rebooked the ministrie for their negligence and profainnesse, repeating the speeches he had in the Assemblie; that he thought a great part of the ministrie the mirriest and carelesest men in Scotland, and that their message was not faithfullie discharged to the king; in speciall, that young men could not be prudent for laike of experience. "*Qui non credunt sed dicunt*," as Aristotle said, writting, *De Prudentia*. After sermoun, the brethrein followed furth their former purpose of commissioners. Upon Thursday, the 27th, Mr James Melvill was appointed to penne the commissiouns, and Mr Johne Fairfull was appointed to moderat in his place. There was muche reasoning about excommunicatioun of the traterous erles. Sindrie reasons were alledged why they might excommunicat them, as, that manie of them were some tyme students in the Universitie of St Andrewes; and it was found, that they had just reason to excommunicat them. The sentence was pronounced by Mr James Melvill, Moderator for the tyme. It was ordeanned, that the sentence sould be intimated in all kirks, with interdictioun, that none recept them, or have anie fellowship with them, under the paine of the same censures; and some brethrein were directed

to the provinces nixt adjacent, to obteane their approbatioun and assistance. God so blessed this work, that the whole Kirk of Scotland approved the same, and it was a speciall meane of preventing extreme danger threatned both to kirk and commoun weale, and bringing forfaultrie and exile upon the enemie.

The Synod communicated with diligence that which they had done, and craved a meeting of commissioners to be keeped at Edinburgh, in October following, for prosecuting of the mater. The names of the excommunicated were, William Erle of Angus, George Erle of Huntlie, Francis Erle of Erroll, the Lord Hume, Sir Patrik Gordoun of Auchindoun, and Sir James Chisholme, knight. The proceedings of the Synod are shortlie sett doun in this discourse following:—

"The Provinciall Assemblie of Fife, conveened within the citie of St Andrewes, the 25th day of September, 1593, after incalling upon the name of God, thought it their duetie, first, and above all, to consider of the present dangers of the kirk, namelie, within their owne province. And finding the same to be verie great, and to crave tymous remeed, in respect of the conventiouns of the enemeis, namelie, of late within the province of Fife, not dissembling nor secreitlie covering their most pernicious and cruell attempts against the Evangell of Jesus Christ, but promising unto themselves not onlie impunitie, but even speciall favour at the hands of the prince, they are not affrayed with impudent and malicious boldnesse, by themselves, their servants, dependers, and complices, opinlie, at noble and gentle men's tables, where they are over readilie receaved, to blaspheme the blessed truthe of God, rayle out upon the same, and the blessed professors therof, contemne the Word read, mocke and scorne at the grace and thanksgiving before and after meate, and plainlie avowing their most erroneous and idolatrous religioun, boast and brag that they sall make us all to receave the same; lyke as it was declaired by faithfull brethrein before the said Assemblie, as notorious and knowne to all that countrie, in the persons and behaviour of the Erles of Angus and Erroll, and Lord Hume, latelie, about the tyme of this last conventioun

at Stirline, and of the Erle of Huntlie, conveened with the foresaids in Dumblane; and all the saids three erles, with the said Lord Hume, conveened, immediatelie after the said conventioun of Stirline, at the Rocking Stone of Balvaird. The which thing, when the said Assemblie had considered and weyghed, the ministers and commissioners conveened therin thought it more nor high tyme to awake, and take heed to themselves, and to the flockes over which God had appointed them pastors and elders. And, therefore, for occurring to the said imminent danger, and for remeed therof, so farre as lyeth in them, after invocatioun of the name of God, long and grave advisement, determined and concluded as after followeth:—

"First, That the pastors of everie congregatioun being first sanctified themselves, and prepared by abstinence, prayer, and diligent studie and attendance in all the points of their charge, travell carefullie, by their doctrine and exemple, to move and dispose the hearts of their flockes to unfained repentance, incalling for mercie and preservatioun at the hands of God, that thus, both pastor and people may be prepared against that generall and solemne fast which the Synod thinketh most needfull to be, without delay of tyme, appointed and published throughout this whole realme; the causes wherof, attour the generalls of all our humiliatiouns in tyme bypast, to be these in speciall:—

"1. The impunitie of idolatrie, and cruell murther, in the person of the Erle of Huntlie and his complices.

"2. The impunitie of that most monstrouous and of that ungodlie and unnaturall treasoun committed by the said Erle of Huntlie, with the said Erles of Angus and Erroll, the Laird of Auchindoun, Sir James Chisholme, and their adherents.

"3. The pride, boldnesse, malice, bussinesse, and going fordward of these enemeis in their most pernicious purpose, arising of the said impunitie and bearing with of the king, so that now, they not onlie have no doubt, as they speeke plainlie, to obteane libertie of conscience, but also brag to make us faine to come to their cursed idolatrie, before they come to the truthe.

"4. The land defiled in diverse places with the devilish and blasphemous masse.

"5. The wrathe of God brokin furth in fierie flamme, upon the north and south parts of this land, with horrible judgements both of soules and bodeis; threatning the mid part with the like, or heavier, if repentance prevent not.

"6. The king's slownesse in repressing of Papistrie, and planting of true religioun.

"7. The defectioun of so manie noblemen, barons, gentlemen, merchants, and mariners, by the bait of Spanish gaine, which emboldeneth the enemeis; and, on the other part, the multitude of atheists, ignorant, sacreligious, blood-thristie, and worldlie outward professors, with whom it is a strange mater that God sould worke anie good turne; the consideratioun wherof, upon the part of man, may altogether discourage us.

"8. The cruell slaughter of ministers.[1]

"9. The pitifull estate of the kirks and brethrein of France.

"Lastlie, The hote persecutioun of discipline, by the tyrannie of Bishops in our nighbour land.

"Secundlie, That with all convenient diligence, commissioners of gentlemen, burrows, and ministers, be directed to the king, from this present Assemblie, to speeke plainlie unto his Majestie, that which all his true subjects thinke, tuiching his overmuche bearing with, favouring and countenancing of professed and treasonable tratours, Papists, and his negligence in repressing of idolatrie, and establishing of the kingdom of Christ into this realme; declairing freelie unto his Majestie, the minde and resolutioun of all his faithfull and godlie subjects within this province, both to burgh and to landwart, to be readie rather to give their lives, than to suffer the same to be polluted with idolatrie, and overrunne with bloodie Papists. And for that effect, the Assemblie hath nominated these commissioners, Mr Andrew Melvill, Rector of the Universitie,

[1] Some of the Mures had slaine Mr David Blyth and Mr Johne Aikman.—*Note in the Original.*

David Fergusone, Minister of Dumfermline, Mr Andrew Lamb, Mr Thomas Buchanan, Mr Nicoll Dagleish, and Mr James Melvill, and the commissioners of gentle men and barons, to be directed from the conventioun at Cowper, the secund of October. And for this effect, there are directed from this Assemblie therunto, Mr Andrew Melvill, Mr Robert Wilkie, Mr Andrew Muncreif, and the rest of the Presbyterie of Cowper; and for informatioun of the burghes of the provinces, and obteaning of their commissioners, the ministers of everie burgh to have with them a letter from this Assemblie, and commissioun for that effect. And als, that the said gentlemen and barons faile not to conveene in frequent number; the said day Mrs Andrew Muncreif and David Mernes are ordeanned to speeke the Lairds of Cambo and Balcomie, commissioners ordinar of the barons; and the ministers of their * * * to warne their owne gentlemen, and deale with them for that effect.

"Thridlie, That the brethrein directed to the barons and burghes crave their counsell and assistance, according to their duetie and subscriptions, tuiching thir dangers, and remedie therof; and namelie, to have their commissioners directed to the king in Edinburgh, the 19th day of October nixtocum, there to concurre with the commissioners above nominated of this present Assemblie, and with suche as God sall move other provinces to direct for the effect above specified. They sall also exhort the barons and burrowes to putt in faithfull executioun the acts of parliament made against Papists, Jesuits, traffiquers within their bounds and dominatioun; and to be upon their guarde at all tymes, for defence of themselves and the caus of Christ, and to advise among them for the best order to be taikin for that effect.

"Fourthlie, The Assemblie directeth, in like maner, David Fergusone, Mr Johne Davidsone, and Mr Johne Coldoun, to deale with the Erle of Morton and his ladie; to find fault with them, and to rebooke them sharpelie, for receaving within their hous, and interteaning the forenamed enemeis; and to crave their duetie to be practised, according to their professioun: and incace otherwise, their deeds sall declare what they are, and God will give them

their portioun with idolaters. And in like maner, Mrs Andrew Melvill, James Melvill, Adam Mitchell, directed to conferre with the Erle of Rothesse, to acquaint him with this mater, and to crave his counsell and assistance; as also with the Erle of Crawfurd, if he sall be found in Cairnie, or within this province; and the said Mr Andrew Muncreif, with the said Mr James Melvill, to conferre with my Lord Lindsay.

"And last, The said synodall, as on the one part being verie laith to doe any thing rashlie or impertinent to them; so, upon the other part, willing to pretermitt nothing that God hath givin them power to doe, and directioun what to doe for his honour, and the weale of his kirk; entered in to consider what they ought and might doe to these enemeis, so conjured against Christ and his kirk. After earnest prayer to God, long and grave reasoning and deliberatioun, [they] found and concluded this in end:—

"First, That the principall and cheefe enemeis, the Erles of Huntlie, Angus, and Erroll, my Lord Hume, the Laird of Auchindoun, and Sir James Chisholme, have, by their idolatrie, heresie, blasphemie, apostasie, perjurie, and professed inimitie against the kirk and true religioun of Jesus Christ within this realme, *ipso facto*, cutt themselves off from Christ and his kirk, and so become most worthie to be declared excommunicated, and cutt off from the fellowship of Christ his kirk, and givin in the hands of Satan, whose slaves they are, that they may learne (so it may please the mercie of God) not to blaspheme Christ and his Gospell.

"Secundlie, It was said, that manie of the saids persons being some times students in the Universitie of Sanct Andrewes, had communioun and fellowship with that kirk; namelie, the Erles of Angus and Erroll, and my Lord Hume. And these same three maried within the province of Fife, to have professed with these kirks wherin they were maried, and subscribed the articles of our religioun of Fife. Considering also, becaus of their affinitie and freindship, their resort, as it hath beene, so might be in tyme comming, over frequent within this province, to the great danger of the kirk within the same; and remembring the most cruell and

treasonable murther committed by the said Erle of Huntlie, and Laird of Auchindoun, within the bounds of their province, for the which caus, the advice of the Generall Assemblie was, that the said erle and laird sould be excommunicated by the ministers of Fife, and the said Sir James Chisholme, being one of their principall complices, and devisers of their most malicious comploits; the said synod found that they had just interest and occasioun to excommunicat and cutt off from their fellowship and Christ's kirk at Fife the said persons. And so in summar forme and maner customable, and most righteouslie used in suche maters, according to the Word of God, manie and diverse exemples of the primitive kirk, and lovable practise of the same synod before against Jesuits and traffiquers, the said synod, in name and authoritie of the Lord Jesus Christ, did cutt the saids persons from their communioun, and delivered them to Satan, to the destructioun of their flesh, that the spirit might be safe, if so it pleased God to returne and reclame them by true repentance; otherwise, to their just condemnatioun everlasting: And ordeanned intimatioun to be made therof by everie one of the pastors in their kirks immediatlie to the same, with interdictioun, that none sould presume to receave within their houses, nor have anie dealing, fellowship, and societie with the said excommunicated persons: with certificatioun to the controveeners, that they sall incurre the like censure, sentence, and judgement of excommunicatioun.

"And, finallie, To the intent that the proceedings of the said Assemblie may be communicated with the brethrein of the provinces nixt adjacent, and their advice, approbatioun, and assistance obteaned therunto, the said synod hath directed Mr Andrew Lamb to Lothiane, Mr Thomas Dowglas to Angus, Mr James Stewart and Mr Robert Colvill to Stirline, Mr William Patoun to the Merce, with letters and commission to the brethrein to that effect."

THE KING TRYETH THE LORD HAMMILTON'S AFFECTION.

The king was highlie offended with the excommunicatioun of the

lords. He said the ministers were cruell, and as they sought blood they sould have it. But he meant no suche mater, for he was too favourable to these tratours. When he was latelie in Hammiltoun, being desirous to try the Lord Hammiltoun his affectioun, after he had made a preface that he assured himself of his favour, howsoever report was made in the contrare, he said, "Yee see, my Lord, how I am used, and have no man in whom I may trust more than in Huntlie, &c. If I receave him, the ministers will cry out that I am an apostat from the religioun; if not, I am left desolate." "If he and the rest be not enemeis to the religioun," said the Lord Hammiltoun, "yee may receave them; otherwise not." "I can not tell," sayeth the king, "what to make of that; but the ministers hold them for enemeis. Alwise, I would thinke it good that they injoyed libertie of conscience." Then the Lord Hammiltoun crying aloud, said, "Sir, then we are all gone, then we are all gone, then we are all gone! If there were no moe to withstand, I will withstand." When the king perceaved his servants to approache, he smyled and said, "My Lord, I did this to try your minde."

NORTHBERUICK PROVEIST OF EDINBURGH.

Upon the secund of October, when the old and new counsell of Edinburgh were conveenned to choose their magistrats, a charge was sent to them to receave Alexander Hume of Northberwick, proveist, within three houres, under paine of horning, which was obeyed. Clement Cor, Johne Robertsone, Johne Dowgall, and Niniane Mackmorran, were chosin bailliffes.

Upon Wedinsday, the tenth of October, the barons and gentlemen in Linlithquo, Merce, Tiviotdaill, were charged by opin proclamatioun to meete the king in Jedburgh, upon Saturday, the 13th of October. Upon Fryday, the 12th, he tooke journey from Halyrudhous, accompanied with my Lord Hume and the Laird of Cesfurde. Before he tooke journey, he promised to the ministers to enter in no conference with the traterous lords, till they satisfie the

kirk: yitt the same verie day, they mett him betuixt Sowtray and Fawla, fell doun upon their knees, and craved pardoun. Howbeit he was verie willing, yitt he was affrayed to grant it, least the people sould suspect that he also had made defectioun from religioun. But he advised them to underly tryell, which they might easilie doe, assise of their owne freinds being chosin, and being cleanged by an assise, they sould then be receaved as free lieges. They came backe from the king, and sent missives to their freinds to meete them in Perth upon Wedinsday, the 24th of October. The king went fordward to Jedburgh to persue Phairnihirst, for recepting of Bothwell, howbeit other causes were pretended.

In the meane tyme, the ministers, commissioners of burrowes, and sindrie barons, conveenned at Edinburgh, the 17th day of October. In this conventioun, it was thought good that commissioners sould be directed to his Majestie, to crave order to be taikin with the excommunicated lords, and to regrait the accesse they had to his Majestie at Fawlay. Mr James Melvill, Mr Patrik Galloway, the Laird of Calderwod, the Laird of Merchinstoun, two burgesses of Edinburgh, and one of Dundie, were directed commissioners. They were slenderlie accepted. The king inveighed bitterlie against the assemblie of Fife for excommunicating the erles, and found fault with the barons and burgesses conveenning at this tyme. They answered, they conveenned with true and upright hearts, in all duetie and reverence to his Majestie, to prevent danger imminent to the estat of the religioun and the countrie; that they had his promise, both by word and by writt, for taiking order with the lords. The king said he understood nothing of them till they were upon their knees before him. Where as they alledged, his Majestie sould be better advised before he putt them to an assise, and desired continuatioun, in respect they would bring forces with them, and choose their owne assise; his Majestie answered, he knew not whether their assise sould hold in St Johnstoun or not; but he sould take suche order that nothing sould be done in that mater, in prejudice of the glorie of God, and lawes of the realme: that he sould hold a conventioun at Linlithquo, soone

after his returne from the South, where he would take order with these maters, that suche onlie as he called to that conventioun sould be welcome, others not.

The brethrein being certanelie informed, that the excommunicated erles were gathering their freinds, of purpose to be present at the said conventioun, and to place themselves about the king, thought meete that they sould returne with diligence; and to wairne the barons and burghes to be in readinesse at the said conventioun, for disappointing the adversarie; and, for that effect, to repaire to Edinburgh some few dayes before, to advise upon their proceedings: the which was done by everie commissioner, with exact diligence. Everie one was willed to show to the barons and burghes the king's answeres to their petitiouns, which the brethrein directed to Jedburgh had returned backe, the thrid day after they were directed to the king from the conventioun. The answers heere follow:—

THE ANSWERES GIVIN BY HIS MAJESTIE TO THE HEEDS PROPONED TO HIM BY THE COMMISSIONERS, DIRECTED TO HIS MAJESTIE FROM THE ASSEMBLIE OF THE BARONS, BURROWES, AND KIRK.

As to the First, his Majestie, after the hearing of our propositiouns, answered generallie, he would not acknowledge the conventioun gathered without his advice, nather satisfie us, as commissioners directed from that conventioun. It was replyed presentlie, that we were readie to produce sufficient warrants, proving our assembleis to be with his Majestie's advice, uttered both by print and proclamatioun. Neverthelesse, his Majestie yeelded, for satisfeing us, as subjects of sindrie rankes resorting unto him, in everie particular, as followeth:—

To the First, concerning my Lord Hume, a professed Papist, and others, his followers, hanting about his Majestie, compted verie dangerous to religioun, his persoun, and estate, becaus it was accomplishment, in a part, of the Spanish platt devised, that Papists sould possesse his persoun; answered, a day, with advice of the

kirk, was appointed, that he sould satisfie, or then depart from his Majestie's companie. To the which day, he sould opin his doubts, conferre, and seeke resolutioun: which thing his Majestie yitt standeth by, and sall performe, incace he resolve not. But his Majestie was sure of his resolutioun before that day, becaus he had opened his doubts, conferred with his Majestie and Johne Duncansone, and receaved resolutioun, and would subscribe betuixt and the day; "and, therefore," his Majestie said, "that which was done by advice of the kirk sould not be querrelled by the kirk." To that it was replyed, he had past his bounds, and done evill, and beene a speciall instrument to bring the excommunicated erles and Sir James Chisholme to his presence.

As to the Secund, the bringing of the excommunicated erles to his presence, contrare to his promise, by certan evill affected men about him, answered, as God sall judge his soule, he knew not of their comming, nor was under no privie pactioun or conditioun with them; and when upon their knees they had craved tryell, which he could not denie unto them, if it had beene to the simplest of the land, he dimissed them without anie promise. As tuiching these about him that were instruments to bring them to him, he knew them not; and willed us to name them in particular, and to accuse them, and lett them give their answeres.

As to the Thrid, the hope and expectatioun the excommunicated erles had to be made free, and cleanged of their odious treasouns, after their departure from his Majestie, by reasoun of the place, the tyme, the persons, assisers, and libertie granted to them to conveene with their forces for their tryell, which was thought verie dangerous; answered, as for the tyme, he did it with advice of the ministrie; the place, with advice of the counsell; the persons, assisers, he thought most indifferent in the land. And as for their forces, he sould take order, that he sould be maister, by the presence of suche a number, weill affected to religioun, as his Majestie sould make choice of. It was replyed, the tyme and place was not meete. Answered, the tyme sould not hold so short, but after foure or five dayes the conventioun sould hold, and to them it

sould stay. As to the place, he was not certane whether it would hold in St Johnstoun or not. As to the persons, assisers, when it was replyed, that, seing the actioun was so weightie, and his Majestie was remembred, that he had said it passed the reache of his power to pardoun it, and it tuiched everie estat in particular, and, therefore, his Majestie ought to doe nothing therin without the advice of the estats conveenned; answered, he sould keepe counsell in Lawder, advise upon that purpose, and after, in Edinburgh, sould conveene with the counsell, certan of the barons, burrowes, and ministrie, according to whose advice he sould proceed in that mater; and no otherwise.

Last, Where it is shewed unto his Majestie, that the assemblie presentlie conveenned, thinking it dangerous for his Majestie's comming to Perth, by reasoun of the great numbers that were to resort with the excommunicated erles, offered to be present with his Majestie, and to guarde his person, for his safetie, against all assaults; answered, suche as he charged to be present sould be welcome at their comming, and suche as came undesired sould not be welcome; and he sould take order that they sould not come with suche number as might trouble the day of law, and suche as sould come with them sould be men of religioun. In end, his Majestie, willing that we sould report his good intentioun and honest meaning in this turne, with solemne oathes protested before God, and in conscience affirmed, that he sould proceed in that mater as he would answere to God and estats of his kingdome; and that he meaned nothing in that mater but securitie of religioun and good men; and that suche substantatious order sould be taikin with these excommunicated erles, that religioun might be in securitie, they taikin order with, that they sould be unable to brangle state or religioun afterward, and none sould be suffered heerafter to trouble religioun, and professe Papistrie; and so, your petition and my intentioun sall goe together.

About the same tyme there was a conventioun of the barons of Fife holdin at Cowper. Mr Andrew and Mr James Melvill desired them to direct some of their number, with certan of the mini-

strie, to the toun of Perth, to encourage them, and to promise their assistance, for keeping of their toun, against the excommunicated erles and their forces; which they did, till they were constrained by the king's charge to receave them.

The king appointeth the 29th of October, the day for the assise to be holdin in Linlithquo, wherupon new advertisement is givin by the ministers, to the barons and gentle men, to conveen at Edinburgh, against the day of the assise. The substance of the wairning givin may be collected out of this letter following, writtin to the Laird of Colestoun, Blance, &c., by Mr James Carmichaell, minister at Hadintoun:—

"Right Honorable Sir,—After salutatioun, &c. Yee heard of the delay of the assise, which the Popish lords thought to have tane to themselves in Perth, the 24th day of this instant; and the resolutioun that the commissioners of the kirk from all quarters tooke for being present therat. The letter sent from them, and the articles propouned to the king's Majestie, and his answere, yee learned at James Gibsone. We receaved new informatioun from the eldership of Edinburgh, and the commissioners left in Edinburgh, to give wairning to all the kirks this last Tuisday; which informatioun was brought unto us this Wedinsday, in this sense, in writt, to witt, that, seing the king's Majestie had appointed the 29th day of this instant, which is Moonday nixt, in Linlithquo, to their assise, and had signified the same to the kirk, to persue them as partie, as they accepted it upon them, that we sould give wairning therof unto the barons, gentlemen, and burrowes, to come to Edinburgh this nixt Saturday, bodin in feare of warre, with their substantious freinds and servants, to consult what order sall be followed for persuing of that processe; and to execute the same, upon the said day, as they tendered God's glorie, standing of the truthe, and withstanding of falshood, and wrong worshipping of God. The tendernesse and worthinesse of God perswadeth you, Sir, (without my presence or words,) sufficientlie, whose zeale rather provoketh the ministrie, than needeth to be provoked thereby, to the prosecuting therof. Therefore, nothing doubting of your forwardnesse,

and of your bentnesse to keepe the said 27th day, which is Saturday, in Edinburgh, to the former effect, and therafter to be readie to concurre with your brethrein, in this good and honorable caus; committs you unto God's everlasting protectioun. From Edinburgh, this Thursday, at two after noone, the 25th of October, 1593."

The best and most zealous barons and gentlemen were in readinesse to keepe the dyett at Edinburgh, namelie, hearing of the Erles of Huntlie and Erroll's forces comming to St Johnstoun; till the king sent expresse discharge, and commanded them to abide at St Johnstoun quietlie, with some few of their freinds, attending his will tuiching their effaires. Whereupon diverse of Fife, Angus, Stirlineshire, came to Edinburgh, leaving their armour, some at Leith, some ellis where, till they saw need. But all resolved in a commissioun of some to be sent to Linlithquo, to the great greefe of these that looked for more round dealing. Some said, "It is not tyme to goe to reasoun with words, when the enemeis appeared with swords: we will provide for our selves, if the mater goe this way. This course will overthrow us that are mett heere: we looked for another kind of dealing." These words were uttered by Merchinstoun and the Maister of Sinclare to Mr Davidsone. The dealing they looked for was, that a power sould have gone presentlie to St Johnstoun to assault the enemie, till moe had come; for which purpose, Edinburgh had appointed an hundreth harquebusiers to goe thither to assist Fife, Angus, and Stratherne, till moe had mett. But by the cunning convoyance of some ministers, more fordward in pulpit to sett men on worke, than constant in holding them on to the performance, their consultatiouns resolved in this commissioun. Mr David Lindsay was Moderator of this meeting, assembled upon Moonday, the 29th of October. After noone they continue the same resolutioun of sending of commissioners, with some articles.

When they were readie to dissolve, Mr Davidsone obteaning licence of the Moderator, but with some difficultie, made a short harangue. He said, "The caus of our meeting was, to avert the

imminent plague and danger, the greatnesse wherof could not be denied, als weill in respect of the caus of the danger, as of the instruments of the same. The caus was our sinnes in all estats: first, ministers, in neglecting their duetie, and seeking themselves and the world. Nixt, in the prince and nobilitie, who had become ather enemeis to God's truthe, or no obeyers of the same. But leaving the enemeis, who," said he, "of the nobilitie has cleanged his hands of sacriledge, notwithstanding the long crying of God's servants for that purpose? Who had reformed his life, or his familie's? Who had shewed mercie to the poore tennents? etc. As for touns and burgesses, see we not," said he, "the great contempt of God's Word and his ministrie, brokin furth in the most part of the touns in this countrie? etc. This for the caus. The instruments are great and mightie, and manie ather opinlie professing our punishement, or craftilie dissembling the same, till our greater danger; which is so weill knowne to you," said he, "as I need not to speeke farther in that mater. Now," said he, "we have to avert the caus by unfained repentance, and to meete the instruments as becometh. As for repentance, it is to be had by publict fasting and prayer, and quicke stirring up our dulnesse by choice men of the ministrie, which would be appointed heere presentlie, to continue heere, till we receave a confortable answere of the king to your commissioners; and therafter, take purpose, before we departed, how to meete the enemeis; which thing if they did, for my owne part," said he, "I would take part with them in death and life, by God's assistance."

There he tooke his leave at them, and in the end he said, "I pray you, Mr David, Moderator, that yee give me not an answere to these things of your owne head, untill yee receave it of your brethrein." After some reasoning in these things, it was agreed that a publict fast sould be proclamed against Wednisday nixt, and that the ordinarie exercise sould continue the morrow. Mr Davidsone insisted to have preaching on the morrow, and so long as they were to continue. But becaus none was found to take upon him to preache on the morrow, the former purpose was continued,

howbeit Mr Davidsone offered to beginne, if anie would follow; which Mr David Lindsay hearing, would not heare, but praised God. And so they dissolved. Sindrie brethrein came to Mr Davidsone, and thanked God for his motioun he made, saying, they saw no motioun to turne to God, nor savouring of godlinesse, since the beginning of that Assemblie till that motioun was made. Mr James Melvill was appointed to be speeche man to the barons, burgesses, and ministers, that were sent to the king and conventioun of estats at Linlithquo, to present the petitions of this meeting. They went to Linlithquo. But Chanceller Matlane had so dressed all things before they came, that there was little adoe for that tyme; for the mater was remitted to a new conventioun of the estats, which was to be holdin at Edinburgh the moneth following, which may appeare by the act following:—

"*Apud Linlithquo, ultimo die mensis Octobris*, 1593.

"Forasmuche as the king's Majestie, and his estats presentlie assembled, having heard and considered of the petitiouns and offers of William Erle of Angus, George Erle of Huntlie, Francis Erle of Erroll, and some others, now being under processe of his Hienesse' lawes, for certane maters of lese majestie layed to their charge, as attempted and practised by them against the true religioun professed, and by law established within this realme, his Majestie's person and estat, and publict quietnesse of the countrie; and remembering how his Hienesse, with advice of his estats in his late parliament, as not then fullie resolved with the summouns executed against the said erles and some others, remitted the tryell, and ordering of the maters, to his Hienesse and his Secreit Counsell, for the which his Hienesse appointed this present conventioun; and yitt now finding that maters of suche consequence cannot convenientlie and sufficientlie be heard and determined in this present conventioun, his Hienesse, therefore, with advice of his estats presentlie assembled, hath thought expedient to committ the hearing, determinatioun, and consideratioun of the said maters, and others heereafter mentionned, to the speciall persons of the said estats,

and of his Hienesse' counsellers and officers following. They are to say, Johne Lord Thirlestane, Chanceller, George Erle Marshall, Johne Erle of Marr, Johne Erle of Montrose, Andrew Erle of Rothesse, and Alexander Lord Livingstoun; James Scot of Balwerie, Johne Murrey of Tullibardin, Alexander Bruce of Airth, knights; Mr George Lawder of Basse, William Scot of Abbotshall, and Mr David Carnegie of Colluthie, Alexander Hume of North Berwick, Proveist, and Clement Cor, Commissioners of Edinburgh, with the Commissioners of Dundie, Stirline, Linlithquo, and Cowper, with the officers of estat that sall happin to be present for the tyme. And incace anie sall happin to be absent, with power to his Majestie, with advice of suche persons above writtin as sall happin to be present, to nominat and choose other in their places; and that Mrs David Lindsay, Robert Bruce, Patrik Galloway, James Carmichael, Robert Rollock, and Johne Duncansone, ministers, or suche of them as sall be present, have accesse and audience, when they sall have anie thing to propone, or sall happin to be called upon for conference: Giving, granting, and committing to the saids speciall persons of the estats, or anie foure of everie estat and qualitie, with the officers of the estat that sall happin to be present for the tyme, full power, charge, and authoritie, to consider the said petitiouns and offers of the said erles, and others suspected and delated of the said crimes; and craving the said tryell, to try the truthe als weill of their accusatiouns as purgatioun, and all other maters that sall be propouned unto them, concerning his Hienesse' estate and effairs, and the present troubles and disorders over all the realme; and theranent to treate, consult, and deliberat, and to conclude, in whole or in part, as they sall thinke convenient, speciallie tuiching the suretie of the estat of the religioun and professors therof; and suretie to be taikin of all persons suspected or delated to be adversars of the same, or troublers of the quietnesse of the realme: Or incace of their disobedience or contempt, how they sall be persued and repressed; admitting and declairing the proceedings and conclusiouns of the saids elected persons of the estats to be als lawfull, effectuall, and sufficient in

all respects, as if the same were done by his Highnesse' full Parliament, or by his Privie Counsell, Sessioun, or Assise, before the Justice-Generall or his deputs: Which his Hienesse will cause be ratified and approved in his Hienesse' nixt Parliament.

"*Extractum de libro actorum Secreti Consilij, S. D. N. Regis, per me, Joannem Andro, clericum deputatum ejusdem, sub meis signo et subscriptione manualibus.*

"JOANNES ANDRO."

This driving of tyme made the king to be hardlie thought of by his best subjects.

Mr Johne Davidsone teaching in the Little Kirk, upon Thursday, the 1st of November, upon 2 Chron. xxx., said, he feared it sould faire with us as with the Israelites, of whom fourtie thowsand were slaine, before they had throughlie humbled themselves, (Judges xx.) He said, we had als great right to mainteane the possessioun of the truthe, whether the prince would or not, as our forebeares had to bring it in, and putt us in possessioun of it, whether the prince would or not, if need so required.

Upon Fryday, the 2d of November, was published this proclamatioun following, that none trouble the Erles of Huntlie, Angus, and Erroll, during the tyme of their tryell:—

"Forasmuche as Williame Erle of Angus, George Erle of Huntlie, Francis Erle of Erroll, and some others, being under processe of his Hienesse' lawes, for certane maters of lese majestie layed to their charge, as attempted and practised by them against the true religioun professed, and by law established within this realme, his Majestie's person and estat, and commoun quietnesse of the realme, have, by their humble petitiouns and offers, craved tryell of the same; wherupon, his Hienesse having consulted with the estats presentlie assembled at Linlithquo, finding the present tyme and place not convenient nor sufficient therefore, hath, with advice of the said estats, nominated and elected certane speciall persons of the same estates, and givin them full commissioun and authoritie to consider of the said petitiouns and offers; and to trie the truthe, als

weill of the accusations as purgations; to provide for the suretie of the said true religioun, and professors therof; as alsua, to take suretie of all persons suspected, or delated to be adversars of the same, or troublers of the quietnesse of the realme: Or incace of their disobedience and contempt, to pronounce how they sall be persued and repressed. And to the effect that the said erles, and others craving the said tryell, may be ewest and readie to answere to suche things as occasioun sall offer to be inquired of them, and answered unto by them concerning the same tryell, declareth that their recept and interteanement in hous by whatsomever his Hienesse' leiges, during the tyme of the same tryell, sall be no cryme, danger, nor reproache to their recepters; nor they, nor none of them, sall be called or accused therefore, criminallie nor civillie, by anie maner of way in tyme comming, notwithstanding anie processe led or depending against the said erles, or others foresaids, or anie paines conteaned therinto; wheranent his Hienesse dispences, during the said space, and ordeans letters to be directed for publicatioun heerof, at the mercat croces of Linlithquo, Edinburgh, and other places needfull, that none pretend ignorance of the same; and to command and charge all and sindrie his Hienesse' leiges and subjects, that none of them take upon hand to invade, trouble, or persue the said erles, and others seekers of the said tryell, in bodies and goods, during the tyme of the same tryell, under all highest paine, charge, and offence, that they and ilk one of them may committ and incurre against his Hienesse in that part, the saids erles and others foresaids craving the said tryell, behaving themselves quietlie and duetifullie, and attempting nothing against his Hienesse' estat, lawes, or the said true religioun, in the meane tyme."

Upon Wednisday, the 7th of November, another proclamatioun was made, that none repaire to Edinburgh but suche as sould be writtin for. The act was made at Halyrudhous the day before.

"*Apud Halyrudhous*, 6 *die mensis Novembris*, 1593.

"Forasmuche as the king's Majestie, with advice of his nobilitie, counsell, and estates, which latelie conveened at Linlithquo, hath

givin full power and commissioun, expresse bidding and charge, to sindrie noblemen, barons, and others, to conveene within the burgh of Edinburgh upon the 12th day of November instant, there to treate, consult, deliberat, and conclude upon sindrie maters, speciallie tuiching the suretie of the estat of religioun, and professors therof, and suretie to be tane of all persons suspected or delated to be adversars of the same, or troublers of the quietnesse of the realme. Or incace of their disobedience and contempt, how they sall be persued or repressed; and in all other maters that sall be proponed concerning his Hienesse' estat and effaires, and the present troubles and disorders over all parts of this realme; as the commissioun givin therupon at lenth proports: Wherefore, and to the effect that this godlie and good worke may the better proceed, and be no wise hindered nor stayed by the resort of anie persons suspected, adversars of the said true religion, their freinds or favourers, nor yitt by convocatioun or gathering of persons standing under deadlie feed, or other persons whatsomever, under whatsomever colour or pretence; nather by other crafts, factiouns, and restlesse spirits, seeking occasioun to interteane troubles and unquietnesse in the countrie, his Majestie, with advice of the saids lords, ordeans an herald, macer, or other officer of armes, to passe to the Mercat Croce of Edinburgh, and other places needfull, and there, by opin proclamatioun in his Hienesse' name and authoritie, command and charge all and sindrie his Hienesse' leiges, of whatsomever estat, qualitie, or degree that ever they be of, that none of them take upon hand to resort or repaire to the said burgh of Edinburgh, or place of his Majestie's present residence, upon whatsomever colour or pretence, during the tyme of the handling and ordering of these maters, except suche persons as are appointed, and speciallie writtin for, or that sall first crave and obteane his Hienesse' licence for their comming, and doing their other leasome effaires and bussinesse; nor yitt doe nor attempt anie thing by word, deed, or actioun, which may hinder his Majestie's godlie and good intentioun, as they and ilk one of them will answere to his Hienesse upon their obedience, at their uttermost charge and perrell, and under

the paine to be reputed, holdin, esteemed, and persued, as contemners of his Majestie and his authoritie; movers and raisers of trouble and insurrectioun, to the breache of his Hienesse' peace; disquietting of the countrie, and hindering of this godlie and good worke: Certefeing them, and they doe in the contrare, they sall be apprehended, wairded, and punished with the same, with all rigour and extremitie, in exemple of others."

Upon the same day, one called Smeatoun, who lett out Mr George Ker out of the Castell of Edinburgh for five hundreth merkes, was hanged.

Upon Fryday, the 9th, some of the ministrie of Edinburgh were accused by the king, before the counsell, for their free speeches against the libertie granted to the excommunicated erles not yitt reconciled to the kirk. He demanded, How they durst be so pert, as to make him odious to his subjects, by invectives in their sermons? They answered, He made manie faire promises unto them, and never keeped a word: that he had givin libertie to the excommunicated tratours to repaire where they pleased, they being excommunicated. They avowed, that they, and all that professed the Lord Jesus, would oppone themselves, and therefore desired that there might be substantiall executioun.

The conventioun beganne the 12th day of November. Few of the nobilitie came to it: the Lord Hume, the Chanceller, Livingstoun, the Commissioners of Burrowes. The ministers mett in Mr Robert Bruce's galrie. Mr Robert Bruce, Mr David Lindsey, Mr Patrik Galloway, were chosin by generall consent to conveene, with two of everie estat, for preparatioun of the tryell which was to be made by the lords. Mr Davidsone would not vote in that mater. He said, "Looke that this preparatioun prejudge not the caus: me thinke it necessar, that before anie benefite be granted to the guiltie lords, the article tuiching wairding of their persons be preciselie urged before yee goe further; for I am perswaded, that no truthe, but drift is meant, by this kinde of dealling." Howbeit, Mr David Lindsay shifted this mater long, yitt at lenth, by vote of the whole brethrein, this proposition was agreed unto.

The commissioners sent unto the king were halfe mocked. The king asked, Whether Wedderburne was his baron or no? and whether he understood his proclamatioun? So Ormeston was cutt off from further dealing, and whispered in the king's eare. Merchinstoun, Carletoun, Fadownside, commissioners, [were] little content of their commissioun.

Upon Fryday, the 16th, after noone, the brethrein of the ministrie mett together. Mr David Lindsay was appointed to urge the king's answere to their articles. He reported slight answeres to no purpose, but drift of tyme and mockerie. For after he had rehearsed manie faire speeches uttered by the king, all turned to this, that the ministers sould advise till the morne, whether the idolatrous and traterous erles sould be first receaved by the kirk to repentance, or be first tryed by the civill magistrat and parliament. He had no sooner delivered this answere, but would have beene at the prayer, that they might depart. Mr Davidsone said, "If this Assemblie did their duetie, and used their owne authoritie as they sould, yee sould be putt in the coale hous, for not urging our articles, and returning suche shifting and trifling toyes to us. It was concluded, that the article of wairding sould be urged, before anie other questioun be entered into. Yee bring us a new message and mater of deliberatioun, to the utter casting off of our articles." Mr David upbraided him with singularitie of judgement. But Mr Thomas Buchanan and Mr William Watsone enlarged his speeche, to the confusioun of Mr David. There were offers made at this conventioun, of satisfactioun to the kirk and the king's Majestie, by some agents for the erles; wherupon, the nixt day, the king discoursed, how dangerous it was to reject their offers. If their offers were rejected, they would take them desperatlie to armes, and gett forraine assistance, which might endanger both king, countrie, and religioun. Manie called to that conventioun were prepared before hand. Diverse dayes were spent in devising an Act of Abolitioun, whereat the godlie were muche greeved. In end, it was concluded as followeth:—

THE ACT OF ABOLITION.

"*At Halyrudhous, the 26th of November, 1593 yeeres.*

"The king's Majestie, for the publict peace and quietnesse of the realme, and that the occasions and pretences of diverse late troubles occurred within the same may be removed, after mature deliberatioun, the ministers of God's Word being heard, conferred with, and their petitions considered, with the advice of the elected commissioners of the counsell and estats, declareth, and by this his Hienesse' perpetuall and irrevocable edict statuteth and ordeaneth, that God's true religioun publictlie preached, and by law established in the first yeere of his Hienesse' raigne, sall onlie be professed and exercised by all his Majestie's lieges within this realme in tyme comming; and that none of them presume, or take upon hand to avow, professe, or exercise anie other forme of religioun within the same, or to recept, mainteane, supplee, or interteane intelligence with anie Jesuits, Seminarie preests, or others adversars of the said true religioun, under the paines conteaned in his Hienesse' lawes, and acts of parliament made theranent; and that all his Majestie's subjects which have not as yitt embraced and professed the said true religioun, or that have made defectioun therefra in tyme bygane, sall, before the first day of Februarie nixt to come, effectuallie obey his Hienesse' lawes, by professing and exercising of the said true religioun, and satisfeing his Hienesse, the true kirk of God, and ministrie therof, in underlying and fulfilling suche injunctiouns as sall be givin by his Hienesse and the kirk, whill there be a sufficient prooffe had of their effectuall and unfained conformitie in embracing and professing of the said true religioun. Or if anie of them sall thinke it difficill so to doe, as not being yitt perswaded in conscience, that then, upon declaratioun to be made unto his Majestie of their choice, and upon his Hienesse' licence first sought and obtained, they sall depart furth of the realme, to suche parts beyond sea as his Majestie sall please and be contented with, betuixt and the first day of Februar nixtocum, and there remaine,

and no wise returne in this realme, whill first they be content to embrace and professe the said true religioun, and satisfie his Hienesse and the kirk, and make securitie for that effect, in maner after specified; they and their heyres enjoying their lands, livings, and goods, in the meane tyme, to their owne uses: To whom his Hienesse giveth power and libertie, by the tenour heerof, by their procurators in their name, to stand in judgement, and persue and defend their actiouns and causes by order of law, notwithstanding anie act of parliament or processe led against them, wherewith his Hienesse in that part by thir presents dispenseth.

"*Item*, Our Soverane Lord, with advice of the said elected commissioners of the estats and counsell, declares, decernes, statuts, and ordeans, that William Erle of Angus, George Erle of Huntlie, Francis Erle of Erroll, Sir Patrik Gordoun of Auchindoun, and Sir James Chisholme of Cornelix, knights, being suspected, delated, and called to his Hienesse' late Parliament for treasonable causes and crymes conteaned in the summouns executed against them, upon occasioun of blankes and letters intercepted, concerning traffiquing with strangers for troubling of the said true religioun, his Hienesse, and others professors therof, and libertie of the realme, sall be free and unaccusable in tyme comming of the said causes and crymes; and all processe theranent to be abolished, delete, and extinct, and remaine in oblivioun for ever; discharging all his Hienesse' justicers, advocats, and others his officers, present and to come, of all calling, accusing, or in anie wise proceeding against them and their heyres therefore in tyme comming. But if they have alreadie, or sall happin heerafter, to send pledges for them out of this realme, to whatsomever strangers, as for suretie of fulfilling of anie offers or conditions on their part, tending to the harme or perrell of the said true religioun, his Hienesse, or others professors therof, or libertie or quietnesse of this their native countrie, in that cace, this present abolitioun and annulling to be null, and the saids persons to be accusable by law, for the same causes and crymes conteaned in the said summouns, as if the same abolitioun and oblivioun had never beene made and granted.

Which abolitioun sall be extended onlie to the crymes conteaned in the said summouns, proceeding upon the occasioun of the said blankes and intercepted letters; and to no murthers, slaughters, fire-raising, and other criminall maters whatsomever. And all suche of the said erles, and others above-writtin, conteaned in the summouns foresaid, as sall deliberat to obey his Hienesse' lawes, in professing and exercising the said true religioun, before the said first day of Februarie nixtocum, abide and remaine, in the meane tyme, in the places and bounds to be appointed unto them by his Majestie, and utterlie forbeare to practise, traffique, recept, supplee, or have intelligence with Jesuits, Seminarie preests, excommunicated or avowed Papists, but debarre them furth of their bounds and companie; that they sall forbeare, at their table or otherwise, to dispute or suffer disputatioun against the said true religioun, or in favours of the Papisticall religioun, damned by God's Word and his Hienesse' lawes; and sall interteane a minister of God's Word in their hous and companie, and be readie to heare him, conferre with him, and be the better resolute of doubts by him, against the tyme of their subscribing of the Confessioun and Articles of the said true religioun; which sall be done by them at the farthest betuixt and the said first day of Februar, except the kirk and ministrie, upon good occasioun moving them, sall condescend that the said day be prorogued for some longer space: That the Erle of Huntlie sall, betuixt and the first day of Februar, putt furth of this realme Mr James Gordoun, his uncle, and the said Erle of Erroll, Mr William Ogilvie, brother to the Laird of Duncrummie, professed Jesuits or Seminarie preests, and sall hold them furth of this realme in all tyme comming: And that suche of the said erles and others forsaids as subscribe and professe the said true religioun, sall no wise therafter make defectioun therefra, but truelie performe the conditiouns above writtin, and everie one of them, and sall find sufficient soverteis of barons, landed men, to that effect, ilke one conjunctlie for their owne parts, which sall content his Majestie. That is to say, everie one of the said erles, under the paine of fourtie thowsand punds, and either of

the saids Sir Patrik Gordoun, or Sir James Chisholme, under the paine of ten thowsand punds; and suche as sall make choice rather to depart, or remaine furth of this realme, nor to embrace and professe the said true religioun, sall, before the said first day of Februar nixtocum, find like securitie, and under the lyke paines, that whill their departing, they sall abide and remaine within the bounds to be appointed to them by his Majestie; that they sall forbeare to practise, traffique, recept, supplee, or have intelligence with Jesuits, Seminarie preests, or others avowed Papists, during their remaining within the realme; as also during their absence furth of the same, sall forbeare all practising or doing to the harme, hurt, or prejudice of his Hienesse, and professors of the said true religioun, or commoun weale, and libertie of this their native countrie, ' anie tyme heerafter. And that the said erles, and others which sall clame the favour and benefite of this his Hienesse' edict, ather by their acknowledging and professing of the said true religioun within the realme, or by departing and remaining furth of the realme upon licence, as not yitt perswaded in conscience, make their declaratioun in writt, of their choice of the said conditiouns, to his Majestie and to the kirk, betuixt this and the first day of Januarie nixtocum; and that the kirk call also all persons suspected to satisfie the kirk; and incace of their refuse, to delate their names to his Hienesse and to his counsell, that they may be called for tinsell of their lyverents, as the act of parliament made theranent beareth: And that the maisters and landslords be holdin to answere for their men tennents and servants, suspected and delated of Papistrie, as for persons indytted for crymes; and exact diligence to be done for punishing of the contemners, als weill excommunicated as others, conforme to the said acts, and the paines to be uptaikin to his Hienesse' use; which his Majestie promiseth to see performed to the rigour, and that he sall no wise discharge or dispone the same otherwise.

"And his Hienesse and the saids commissioners of estats have thought, and thinke this the best forme and maner to quiett the troubles growing through the bygane proceedings of the adver-

sareis of the said true religioun; and, therefore, have granted this present edict, incace the saids erles and others foresaids accept and performe the conditiouns therof, in maner and within the space above specified. But alwise the same edict no wise to stand, nor have force of law, whill first it be accepted, and sovertie made for accomplishing heerof; nor none sall have space to crave the benefite of the same, incace it be not sought and accepted, the said first day of Februar being bypast.

"And in tokin and witnessing of the premisses, his Majestie and commissioners of the said estats have subscribed thir presents, day, yeere, and place foresaid: Which his Hienesse ordeans to be ratified and approved in his nixt parliament, and to have full effect and force in the meane tyme, being accepted as said is. Lyke as the said erles and others above specified, in tokin of their acceptatioun of the benefite and favour of the said edict, and faithfull promise to fulfill the conditiouns therof appointed to them, under the pecuniall paines before mentionned, to be payed by the soverteis, beside the incurring of the paine of treasoun themselves, if they sall happin (as God forbid) to doe in the contrare; they and everie one of them sall subscribe the double copie of this present edict with their hands, and returne the same, with their declaratioun of the choice of their conditions, to be keeped in register, betuixt and the said first day of Februarie nixtocum. And that letters be directed for publicatioun heerof, and the same also to be imprinted, wherethrough probablie it may come to the knowledge of all our subjects."

It was givin furth, that this act was made with consent of the commissioners of burrowes, but they denyed that ever they saw it.

MR A. MELVILL REBOOKETH THE KING.

About this tyme, Mr Andrew Melvill gave the king a sharpe reprooffe for his favour borne to Papists, speciallie Huntlie. He desired that suche as counselled him might shew themselves in presence of the estats; and if he convicted him not of treasonable

and pernicious dealing against Christ, his kirk, the king's estat and person, and the countrie, he would not refuse to goe to the gibbet, providing they, being convicted, goe the same way. The king and his courteours smyled, and said he was more zealous than wise.

THE KING INTIMATETH TO THE MINISTERS THE ACT OF ABOLITION.

Upon Moonday, the 26th of November, the king sent for the ministers of Edinburgh. He told them the Act of Oblivioun or Abolitioun was made by the advice of the three estats, wherupon letters were givin furth to grant libertie to the lords accused to passe freelie among his subjects, providing they satisfied the kirk. They answered, they did not approve the act. The king said, he required not their approbatioun, but onlie sent for them to intimat unto them what was done. They said they were excommunicated. The king answered, that the proceedings of some few ministers against them in a corner of the countrie was nothing.

Upon Fryday, the 30th of November therafter, Mr Walter Balcalquall discoursed upon the practises which had beene for a long seasoun in the court, and the judgements of God that had lighted upon the cheefe instruments; as upon Bothwell, who died lyke a dog, and on the queene, that was beheaded the same day twentie yeere that she caused her husband to be murthered.

THE MINISTERS CONSULT UPON THE ACT OF ABOLITION.

Upon Tuisday, the 4th of December, the ministers of Edinburgh, and others of that Presbyterie, mett after noone, to consult upon the Act of Oblivioun. Mr Robert Bruce shewed unto them what faults he had found in it, and how the chanceller had promised to amend them: that the king therefore had called him often a beast, and said they sould not be amended. Mr Robert Pont wished the act sould rather be disannulled, for if they amended it, it would be called their doing.

MAXWELL SLAINE.

Upon the 6th of December, the Lord Maxwell coming with forces to cast doun the Lochmond, a hous belonging to the Laird of Johnestoun, and other houses belonging to his freinds, was resisted by Johnstoun, who gathered quicklie his freinds, the Johnstouns, Scots, Elliots, and others, to the number of five hundreth men. Maxwell was accompanied with two or three thowsand, having a commission of lieutenantrie. Maxwell himself, and others, to the number of twentie in his companie, were slaine, and the rest putt to flight.

MR R. BRUCE THREATNING.

Upon the Lord's day, the 16th of December, Mr Robert Bruce in his sermoun, the Chanceller and the Secretar, the Justice-Clerk and Colonell Stuart, being present, said that the king's raigne sould be troublesome and short if he abolished not the Act of Abolitioun.

LORD HUME SUBSCRIBETH THE CONFESSION OF FAITH.

Upon Saturday, the 22d of December, the ministers of Edinburgh receaved the Lord Hume's subscription to the Confession of Faith, at the directioun of the Presbyterie, who had ordeaned, incace of refusall, that he sould have beene excommunicated the day following.

MR G. RAMSAY SUMMOUNED BEFORE THE LORDS.

Mr George Ramsay, minister at Laswaid, teaching in Edinburgh, charged the Lords of the Colledge of Justice with selling of justice. He said they sold in the Tolbuith, and tooke payment at home, in their chambers: that the place of their judgement was justlie called *Tol-buith*, becaus there they tooke toll of the subjects.

He was summouned before the lords, and compeered upon the 22d day of December, accompanied with the ministers of Edinburgh. Mr Robert Bruce asked who accused him? the chanceller answered, "All we heere that are members of the sessioun." "Then," said Mr Robert, "yee cannot be judges." "It is true," said the chanceller; "we meane no suche thing." Sindrie of the lords affirmed that they consented not to the summouns. The king being present, [said,] "Will yee not admitt me to be judge?" They answered, they would, so farre as concerned his office. So they were dismissed.

M.D.XCIV.

LORD SOUGH HIS COMMISSION.

Upon the Lord's day, the 13th of Januar, the Lord Sough, English ambassader, gott presence of the king. The Queene of England sent him to crave more rigourous justice against the traffiquing lords. Wherupon followed, that becaus the lords had not accepted of the benefite of the Act of Oblivioun, with the rest of the conditiouns forenamed, that the act was annulled; speciallie, becaus they refused to keepe the tyme appointed to satisfie the kirk, or depart out of the countrie, and a parliament proclamed to be holdin the 22d of Aprile, wherunto they sould be summouned to abyde tryell; and if they compeered not, were to be forefaulted. The Lord Sough and the ordinarie ambassader procured likewise, that the said lords sould be charged to enter their persons in waird, lyke as they were charged soone after to enter. But they disobeyed.

MINUTS SENT FROM THE COUNSELL TO THE PRESBYTERIE OF EDINBURGH.

Upon the last of Januar, the ministers of Edinburgh were sent for by a macer, to come before the counsell, to give their advice, how the traterous lords sould be used. Laith were they to goe, they had been so oft deceaved, yitt they went. Upon Tuisday, the fyft

of Februarie, were produced before the Presbyterie of Edinburgh some minuts from the counsell, by meanes of Mr David Lindsay and Mr James Carmichaell, ministers, the tenor wherof followeth :—

"*Ultimo Januarij*, 1594.

"The king's Majestie having commanded us of his counsell heere resident, first to beginne and take order tuiching the Popish lords, Jesuits, Seminarie preests, excommunicated persons and their recepters, we have thought meete that the parliament sall hold and beginne upon Moonday, the 22d of Aprile nixt.

"That the three erles and Laird of Auchindoun, suspected and delated of treasoun, sall be charged to enter in waird within * * dayes after the charge, under the paine of treasoun; Huntlie, in the Castell of Dumbartane, Angus, in the Castell of Blacknesse, Erroll, in the Castell of Edinburgh, Auchindoun, in the Castell of Tantallon. If they faile, their disobedience in that point to be added to the summouns which are to be directed against them.

"My Lords Treasurer-deput, Justice-Clerk, and Advocat, are directed this day to consult and conclude upon the libelling of the summouns, wherof we have thought good to give you knowledge; desiring you, if there be anie advocats, or other persouns whose opinioun yee thinke necessar in this consultatioun, that yee will name them, attend theron, als weill in helping to informe tuiching the libelling, as in furnishing of mater to the probatioun.

"That yee will let us have the names of the Jesuits, Seminarie preests, excommunicated persons, and their recepters, knowne to you, abusers of the sacraments; and that yee will move the presbytereis to proceed by admonitioun and excommunicatioun against suche as are not alreadie excommunicated; or that they may be called ather criminallie, or before the counsell, as the act of parliament appointeth.

"And that yee will appoint a man of judgement to informe us, from tyme to tyme, of suche things as are requisite to be done, and sett fordward to the furtherance of this worke, wherin we intend, God willing, that there sall be no default on our part.

"Eeked, *Primo Februarij.*

"Your advice what farther is to be done or craved tuiching the slaughter of the two ministers in Galloway.

"*To take some consideration of the Heeds following, as sall be thought meete.*

"Manie things granted by parliament in favours of the kirk, and for punishment of the adversars of the true religioun, and of vice, have taikin little or no effect for want of execution.

"Now, there is a Justice Court proclamed, God knoweth what effect it sall take. Alwise, that it sall not appeare that the kirk slippeth the occasioun to seeke justice.

"It appeareth necessar that the names of Papists, excommunicated persons, Jesuits, and their receptors, were givin in, as also of adulterers.

"And albeit it may be that some of them have alreadie gottin respits or remissions, yitt it sould be meete to compell them to find sovertie, under great paines, to absteane in tyme comming; or if it be not done alreadie, that they sall satisfie the kirk. Which forme beginning heere, might take the better successe in other parts."

The ministers of the Presbyterie of Edinburgh named certane lawyers as the counsell desired them, and appointed Mr Robert Pont, Robert Bruce, Robert Rollock, James Balfour, David Lindsay, to assist them.

PRINCE HENRIE BORNE.

Upon Tuisday, the 19th of Februarie, the queene was delivered in the Castell of Stirline of a man child, betuixt three and foure in the morning. After dinner, about twelve houres, a volie of twelve cannons was shott out of the Castell of Edinburgh. The king sent to the ministers to call the people together to publict thanksgiving, and to the magistrats to cause sett on balefires. Mr Walter Balcalquall taught at foure after noone, upon the 117th Psalme. Among

manie other speeches he had, he said he was assured that the ministers and godlie in the realme were more joyfull of these good newes, nor false flatterers that sought themselves onlie, and meanes to gett silkin schankes and gold buttons: that the joy of the brethrein confuted the calumneis of the court flatterers, who traduced the ministers, as haters of his Majestie.

J. MURRAY OF POWMAIS APPREHENDED.

Upon Tuisday, the 26th of Marche, James Murrey of Powmais was taikin by the Captan of the Guarde; and three craftsmen, taylers, were taikin by the proveist, for receaving waiges from Bothwell. James Murrey was imprissonned in the Jayle of Edinburgh, and examined by the Maister of Glames and others of the counsell, and after lett out unto Johne Robertsone's hous, upon requeist, with some of the guarde to keepe him. The three craftsmen were releeved the day after, or three or foure dayes, through the importunitie of the wives crying to the proveist, the ministers, and the ambassader.

THE KING CHALLENGETH THE MINISTERS FOR BREACHE OF PROMISE.

The bruite went, that Bothwell was waiging men of warre, and gathering his freinds and dependers. The king sent the Laird of Largo, and Mr Michael Elphinstoun, to the Presbyterie of Edinburgh, upon the 26th day after noone, with articles of small purpose. In the meane tyme was the king dytting a certane writt, which was sent to them, which conteanned a challenge of the ministers for breache of promise, in that they had not notified Bothwell's guiltinesse and treasoun to the people, and manie faire promises to persue all suspected Papists. They sett doun their answeres in writt, in generall, that in a commoun caus they could doe nothing without advice of the Generall Assemblie; in particular, that God's knowne enemeis sould be first persued, and then

Bothwell, if it were found that he had brokin since the last remissioun. Mr Patrik Galloway, Mr James Carmichael, and Mr Daniel Chalmers, were directed to the king, with their answeres to his articles and the challenge. The king was content the mater sould be continued till the nixt synod.

A PROCLAMATION FOR PERSUTE OF BOTHWELL.

Upon the 29th of Marche, the leiges within the bounds of Edinburgh, Hadinton, and Linlithquo shirefdoms, were charged by proclamation to be in readinesse upon Moonday, the first of Aprile, to accompanie the king, if neid required, to the persute of Bothwell and his complices, for their assembling themselves against his person.

MR R. BRUCE THREATNING.

Upon the Lord's day following, Mr Robert Bruce threatned from pulpit, that howbeit Bothwell were out of the way, the king sould never want a particular enemie, till he fought the Lord's battells against the wicked. He said, the Lord Bothwell had taikin the protection of the good caus, at least, the pretence therof, to the king's shame, becaus he tooke not upon him the querrell. Farther, that he understood not how the king could persue Bothwell, till he could prove that Bothwell had brokin the last band and indenture made betuixt them, wherof he was a witnesse. These speeches galled the king.

A GUARDE TAIKIN UP.

Upon Moonday, the first of Aprile, the drumme was beatin in Edinburgh, at the king's command, and the trumpet blowne, for taiking up a guarde of foure cornets of horsemen, and four hundreth footmen, to keepe the courteours' heads unbrokin; that is, the chanceller's, the Lord Hume's, and Sir George Hume's.

A NEW COINE STRICKEN.

A new kinde of coine [was] strickin; ten shilling peeces, five shilling peeces, threttie shilling peeces, etc., and five pund peeces of gold. By the raising of the money, the king gained out of the coine hous a thowsand pund everie weeke, but the poore were greatlie endammaged.

THE ROAD OF LEITH.

Upon Wednisday, the 3d of Aprile, about the breake of day in the morning, Bothwell came to Leith with foure cornets of horsemen. The Lord Hume came in the same day to Edinburgh, with sevin or eight score of speares weill appointed. All the noblemen, barons, and gentlemen that were in the toun, for the present, were commanded to be in readinesse to accompanie the king in armes. Before he went furth, he went up to the Great Kirk. Mr Patrik Galloway, his minister, after he had ended the sermon, desired the king to speeke to the people, and promise executioun of justice: "Howbeit," sayeth he, "I can hardlie desire you, by reasoun of the manie breaches made heretofore." The king said, "It is no shame to me to confesse my sinne, suppose I were the greatest king in the world, for no man liveth without sinne. But no man, I am sure, can accuse me of anie haynous cryme, except it be the not executing of justice upon this Bothwell, as Mr Patrik hath said. Wherefore, if yee will assist me against him at this tyme, I promise to persecute the excommunicated lords, so that they sall not be suffered to remaine in anie part of Scotland; and that the guarde sall not be dismissed till it be done. And if the Lord give me victorie over Bothwell, I sall never rest till I passe upon Huntlie and the rest of the excommunicated lords."

The toun putteth on their armour. The chanceller putteth on his jacke. Carmichaell and the Laird of Wemes were chassed in to the toun by Bothwell's men. The king would needs goe towards

Leith. All followed confusedlie, and left the toun in confusioun. As the king and his companie sorted out of the toun toward the Querrell Holes, betweene ellevin and twelve, Bothwell divided his companie in two bands, and retired from Leith, being informed that the toun of Edinburgh was comming furth. They road thicke and orderlie, not moving themselves more than if none had come furth to persue them. They road by the backe of Arthure's Seate toward Dalkeith. The king road through Pleasance to the Burrowmure, and the inhabitants of the toun of Edinburgh with him on foot. Bothwell and his companie were at the Wowmet, when the Lord Hume and his companie, and some of the guarde, charged upon them. Bothwell and his companie turne, and chasse the Lord Hume and his companie in to the footmen. Sindrie were taikin, and sindrie hurt. My Lord Hume himself was drivin from his horse, but mounted again with helpe of the neerest: Carmichael was hurt in the finger. If the toun of Edinburgh had not beene upon the feilds, Bothwell had chassed the king and all his companie in at the ports; yea, the fray was so great, that Edinburgh was not farre from purpose to give place to Bothwell's horse men, if they had followed.

The king came ryding in to Edinburgh at the full gallop, with little honour. Bothwell and his companie road at leasure to Dalkeith, and stayed there all that night, and after went to the Borders. Bothwell pretended at this road that he intended to persue some counsellers, till they sould be presented to justice, or banished the realme, or declared tratours to the countrie, becaus by their meanes the amitie betuixt the two realmes of England and Scotland was in danger to be brokin; masse preests suffered to wander through the countrie, and oustages sent to Flanders for suretie to the Spaniards, who were to arrive heere shortlie; and, therefore, exhorted the king, noblemen, commouns, and magistrats, to assist him with their authoritie, and threatned, that whosoever assisted these pernicious counsellers sould be denounced rebells, and punished with all severitie. These his pretences he sent in writt to the English ambassaders, and to the Synod of Lothiane, which was

then holdin in Dumbar, as is alledged by Camden in his Annales, or rather by the king himself.

THE KING'S MOTION MADE TO THE MINISTERS.

Upon Tuisday, the 9th of Aprile, Sir Robert Melvill and the Laird of Carmichael propouned from the king, to the ministers of Edinburgh and the rest of the presbyterie, that they sould advise how Bothwell's forces sould be holdin out of these parts, if he road upon the traterous lords. They taiking this motioun to be but a snare, answered, they would pray for him, and against all that would oppone to the good caus. Sir Robert urged farther. They said, they could answere no farther till they saw farther actioun. Sir Robert compleaned that the nobilitie had left the king. Mr Robert Bruce said, "His doings and proceedings have made all his subjects, speciallie the meaner sort, which were so oppressed, that howbeit the ministrie would exhort them to assist him, it would not availl, if he amended not." Therefore, their advice was, that he would turne, and repent him of his sinnes.

Two companeis of horsemen were sent out to apprehend Mr Jerome Lindsay, sonne to Mr David Lindsay, minister at Leith, but missed him. He favoured Bothwell.

A PROCLAMATION AGAINST BOTHWELL.

A proclamatioun made against Bothwell, in the narrative wherof it was alledged, that he keeped not the conditiouns sett doun to him by the king and conventioun, viz.: That he sould depart the realme after the parliament which was to be holdin in November after, at what tyme he sould have pardoun for byganes, and his living to depart; and, in the meane tyme, that he came not neere the king by ten myles: but that he taiking them to advisement, driving tyme, breaking the bounds limited, practised in the meane tyme treasoun, and, after he was putt to the horne, came in, in person and armes, against his Majestie.

Upon Thursday, the ellevinth, the king went over the water to Bruntisland, and remained foure or five dayes; sent for sindrie barons and bailliffes of burghes, and inhibited them to suffer anie to levie men of warre, under the paine of death.

J. ROSSE ACCUSED.

Johne Rosse, minister, in a sermoun before a synod holdin at Perth, found fault with the proceedings of the synod; concluded, out of the sixt of Jeremie, the king to be a tratour to God, in joyning and shaiking hands with the wicked; and said, that never good yitt came out of the hous of Guise. He was summouned to compeere before the king and counsell. Whill he was comming to Edinburgh, to conferre with the brethrein, as he had before conferred with the brethrein at St Andrewes, he was taikin by the king's horsemen, at the north side of Kinghorne ferrie, about a myle from Bruntiland, where the king was for the tyme; disguised with a plaid, a bonnet, and two dags, without breeches, as one suspected going to Bothwell. Upon Tuisday, the 13th of Aprile, the ministers of the Synod of Perth came to Edinburgh, at the king's directioun, for examinatioun of Johne Rosse, and confirmatioun of their alledged condemnatioun against him. Upon Wednisday, the 1st of May, some ministers mett in Mr Robert Bruce's galrie, where some of the Presbyterie of Stirline reported what Johne Rosse had said in his sermoun, viz.: That the king was a tratour to God, and no good had come hitherto of the Guisian blood: that they thought his speeches hard, admonished him, but proceeded no farther. Some of the brethrein thought it hard to say that the king sould dee in blood for spairing the shedding of blood; yitt others justified it, that it was agreeable to the Word and commoun experience. Johne Rosse could not be induced by the king to acknowledge a fault, and, therefore, was wairded in the Castell of Edinburgh. The moderator and greatest part of the Synod of Perth came not as the king had ordeanned.

JOHNE ROSSE HIS ANSWERES BEFORE THE KING AND THE COUNSELL.

Q. "Whether ever yee had anie particular sute to anie of the courteours; or if ever yee imployed his Majestie in anie thing?"—*A.* "Never as yitt, nather desire I to imploy anie in anie sute of myne to his Majestie."

Q. "Whether are yee sib to Bothwell or not?"—*A.* "Yes, as I suppone, and that upon the Hepburne's side."

Q. "Had yee anie particular, or anie of yours, against his Majestie?"—*A.* "Your Lordship nor his Majestie needs not to insist in anie of these particulars; for I testifie before that Supreme Majestie, that nothing by me that day was spokin of anie passionat or prejudged affectioun to his Majestie, or of anie goed will to his rebell, but onlie for love of righteousnesse, and detestatioun of sinne."

Q. "I appeale your conscience, if yee knew that Bothwell was on the feild at that tyme?"—*A.* "Yes, I knew it."

Q. "Thought yee it not a dangerous thing, at suche a tyme, to utter suche seditious doctrine, the king's rebell being on the feilds; or whether meant yee to stirre up his Majestie's subjects against him?"—*A.* "I understand, the greater danger, the more sould we studie to bring men to a sight of their sinne; nather meaned I anie way to irritat his Majestie's subjects against him."

Q. "But the king was not present there."—*A.* "I have not learned to round maters there; for, as appeareth, his Majestie hath both heard of it, and now may read of it, though then absent; and I concluded, ere I went there, I would be sent for and accused. Farther, I had als good warrant out of the writtin Word to speeke of men's doings, and to reprove their sinnes, though absent, as the prophets had to the hiils and mountaines of Judea; and I see preachings availl als muche uttered behind his Majestie's backe as they that are before his face; and I have not learned that wisdom, in tyme of danger to be silent."

Q. "What was your drift in that doctrine?"—*A.* "To lett us and all men see that we have cast over long our carnall eyes upon the aide of a carnall prince; looking that things disordered sould be repaired, and, as yitt, no appearance. Therefore, that we might learne to cast a vaill over the carnall ey, and studie to take the vaile away from the spirituall ey, and fixe it als long upon the Prince of princes, yitt not rejecting altogether the hope of the other, and yitt not to leane to it; and that the Lord would waikin his Majestie's heart in mercie, by Bothwell his schapping,[1] since heeretofore he hath gottin so manie wairnings."

Q. "What was the caus yee came not unto his Majestie before?"—*A.* "The meanenesse of my behaviour and gifts hindered me. And, farther, so manie good men have spokin both privatlie and publictlie to his Majestie, yitt have not come great speed, therefore I thought, and thinke, my labour had beene lost."

Rex. Q. "Had I beene there, I could have answered better nor yee could have spokin."—*A.* "And it may be, Sir, I had not beene dumbe."

Q. "Whether if your conscience accused you in anie thing that day delivered?"—*A.* "Not in a jote in anie fault or oversight to his Majestie."

Q. "What particular men, thought yee, misled his Majestie?" —*A.* (*Heere I stayed long, and refused to make them censurers of my doctrine, but appealed to my ordinar judge. Yitt at lenth answered,*) "Certan it is his Majestie is misled, by whom I know not, nather will I give up anie man a misleader of his Majestie."

Q. "Wherin will yee prove his rebellioun?"—*A.* "By a perpetuall omissioun of that injoyned unto his Majestie by God; and, Sir, your Majestie standeth over muche upon inches and points of honour with God. God hath a particular, your Majestie hath a particular; your particular tuicheth your Majestie over muche, and God's nothing. So, ather must God yeeld or your Majestie. Yee will not yeeld the spairing of Huntlie, and the rest holdeth up Bothwell; and till order be putt to Huntlie, looke for no victorie

[1] Knocking.

over Bothwell. Admitt that Bothwell be gottin, yitt God sall raise up a Bothwell out of a bushe: yee sall not want a Bothwell. And it is not possible that the bloodie murthers and apostasie of that man can be left unpunished: putt hand to Huntlie, and Bothwell sall fall. Sir, looke not for your owne standing, let be Bothwell's fall, unlesse these tratours be put order to. Be instant, Sir, in your owne particular, but oversee not God's."

Q. "Involved yee the king in their fault?"—*A.* "Yes, indeed; by reasoun of his Majestie's oversight, he is participant of their sinnes, and that is a fault commoun to princes; and your Majestie hath spokin with them since their apostasie, and might have punished them, and would not, and therefore guiltie of their sinne."

Q. "Involved yee him absolutelie in their sinne?"—*A.* "Yes, alwise leaving place to amendment."

Q. Rex. "And so is there place of amendment left to them."—*A.* "I doubt of that, Sir, seing they have gone so farre in mischeefe and malicious apostasie, and I have not heard nor read if anie suche double malicious apostats have gottin grace to amend; yitt I suspend my judgement: but your Majestie having grace, might soone red you of that miserie."

Q. "Wherin will yee prove him guiltie of their treasoun?"—*A.* "Becaus promise was made by his Majestie, that they sould be punished, which is yitt overseene; and, till it be repaired, I involve his Majestie in their treasoun, or anie other guilt whatsomever."

Q. "How said yee, his Majestie sought their standing under covert?"—*A.* "Under covert of his promise made concerning their persute; yitt no persute; we, reposing upon the promise, are frustrated of our expectatioun. And so, he sought their standing, in so farre as he putt us off with faire words, they still remaining in their owne rowmes unpersued. So, in respect of the promise made, unperformed, I involve him in the guiltinesse of their sinne."

Q. "What meaneth that yee said, that this houre his Majestie hath a sore heart and accusing conscience?"—*A.* "If conscience be suche a thing as I take it, I am sure, even there where your

Majestie sitteth, yee have a sore heart and an accusing conscience. For where the conscience is once wakenned with the sight of so great guiltinesse, it can have no true peace without reconciliatioun, and no reconciliatioun with God but a mends of the misse. The misse is yitt unrepaired. So, then as now, and now as then, I am sure your Majestie may have a sore heart and an accusing conscience, and sall have, till these oversights in some measure be repaired."

Q. "Whether will a conscience accuse at all tymes?"—*A.* "Where a guiltie conscience accuseth not, it hath but a false securitie."

Q. "What reasoun had yee to speeke of the house of Guise?"—*A.* "I find it a constant doing in the Scripture, not onlie to sett doun the names of kings themselves, but of their fathers, mothers, whose maners they followed, good or ill. So, in that point, I varied not a jote from the ground of the Scripture."

Q. S. R. M. "Queene Marie was als vertuous a prince as ever raigned in Europe."—*A.* "I speeke onlie of religioun and persecutioun."

Q. Rex. "What persecutioun was in my mother's tyme?"—*A.* "There was persecutioun, wherof now I remember not."

Q. "If yee cannot prove persecutioun to have beene in her tyme, will yee not confesse yee have done his Majestie wrong in all the rest?"—*A.* "If I prove it not, Sir, as I sall prove it in that point, Sir, I sall not be ashamed to confesse my fault to the meanest in all Edinburgh, lett be to your Majestie. But so farre as I may prove it, I will not confesse a word."

Q. "Will yee not?"—*A.* "Na, not indeid, Sir."

Q. "There was greater quietnesse of religioun in her tyme nor anie tyme before or sensyne."—*A.* "I speeke not what was, but what might have beene. As for the time sensyne, the greater shame is yours, Sir, she being an enemie, and yee a professor of religioun."

Q. "When Knox was brought before my mother, to the Abbey, for preaching, as yee are before me now, he was more honourablie

convoyed by the toun of Edinburgh, nor he nor anie of his kin was worthie of."—*A.* "Certanelie, Sir, that was an honest man."

Q. "He was a knave, and yee another; and over muche rest made him wantoun, as it does you now."—*A.* "I wishe, Sir, yee had manie knaves lyke him."

Q. "How thought yee his Majestie mightie in words?"—*A.* "I would wishe your words fewer and better, and your deeds moe and better."

Q. Rex. "It is hard to give anie sentence of the young prince."—*A.* "I speeke nather good nor evill of him."

Q. "Will yee stand and byde by all that yee have spokin?"—*A.* "The heart thought it, the mouth spake it, the hand hath subscribed it, and, if need be, (by God's grace,) the blood sall seale it."

Q. "What meant yee, he sould end in blood, and dee appearandlie extraordinarilie, with his predecessors?"—*A.* "These words are two wise understood. That he sould end in blood, sould putt an end to him; that is, the punishment and judgement of innocent blood sould persue him, and hunt him unto the death. And, in the death, Abel's blood is said to persue Cain, that is, the judgement of God, for innocent blood, raised up in the heart of Cain. Now, no mentioun is made of Cain his death, but, how ever, he deeth in the judgement of blood. Sir, God hath beene chopping oft and sindrie tymes at your heart. Take tent in tyme, least one choppe come for all. In a word, Sir, and yee putt not order to so manie foule murthers, dee as yee will, dee in your bed, yee sall dee in the judgement of blood, and in the judgement of God. As for the other part, it is one in effect with the former; nather speeke I of anie determinat or particular judgement. The storehous of God's judgements are never emptie. Yee continuing in the course yee are in now appearandlie, yee sall one way or other be tane away extraordinarilie."

Q. "What meant yee, 'He is in the way of death, the end wherof must be reprobatioun?'"—*A.* "So long as a man maketh nather conscience of his owne sinnes, nor of other men's sinnes, so long is he in the way of death, the end whereof must be reproba-

tioun. So long as a man is not past nature, so long is he in the way of death; and your Majestie's doings testifie yitt that yee continue in that estate, and is not past nature."

Q. "What meaned yee, 'He is a reprobat king?'"—*A.* "Sir, yee have the name of king, but yee want the stampe. Amendiment of your former estat, which yitt we see not, is a stampe and badge of Christianitie."

Q. "Called yee me a hypocrite?"—*A.* "Yes, Sir."

Q. "In what termes; and what was the caus yee wrote it not as the rest?"—*A.* "I forgott, Sir, but now I say it; and the more unsanctified knowledge a man hath, being a hypocrit, he is the fynner of it."

Q. "How said yee, his Majestie's name sould be registred in the name of a king, but to his greater shame?"—*A.* "I trow, no man can denie, but if there be not another forme tane up, the things which alreadie tragicallie have fallin out in this land, in his tyme, must be read heerafter to the shame of the living, and greefe of the posteritie."

Q. "But yee know, Samwell, after he had knowne Saul was deposed from the kingdom, yitt at Saul's requeist he came backe, and honoured the king, and prayed for him two yeere after that; muche more, at suche a tyme sould yee have honoured the king, and not uttered suche seditious doctrine, to irritat his subjects against him."—*A.* "The Lord is my record, that in that I meaned no seditioun against his Majestie, and I heare ever, that at greatest dangers men sould be wairned of their sinnes. And, Sir, I would wishe at God, that not onlie your Majestie's rebells, but all God's rebells, godlesse atheists, perjured Papists, and excommunicats with obstinacie, were hanged, to the conditioun, I were hanged a pinne above the lave; which is no tokin of seditioun; that my blood might remove the blood and plague from God's people."

Q. "But yee will not gett King James the Sixt his name in all the Bible?"—*A.* "Als honest men's names as anie king in Europ are sett doun in the Bible, more sharpelie reproved, as good

Josaphat and others. Sir, the Scripture is not of anie privat interpretatioun."

Q. "Will yee subscribe all that yee have givin in writt, and abide by it?"—*A.* "Yes, Sir; and so farre as the Word or experience may beare it out, I will byde, and not yeeld one jote, by God's grace; but where I laike warrant, I would not ashame to confesse my fault."

Q. "Who bade you preache, who choosed your text, and what space gott yee to it?"—*A.* "I had a lawfull calling to that rowme, God offered me my text, and the space was not long."

Q. "How long have yee beene a minister?"—*A.* "Not long a minister, and if God had givin me my owne will, I had never beene a minister; but praised be God, that hath thrust me in that honourable office against my will."

A MORAVIAN TAIKIN.

Upon Wednisday, the 24th of Aprile, a Moravian was taikin and examined. It was said that he was come from the Pope, for evill offices against the king, but no suche thing could be tryed: a fiction, no doubt, to make the people beleeve that the king was hated of the Pope.

A SPANISH SHIP AT MONTROSE.

A Spanish shippe runne on ground, at Montrose, upon the 30th of Aprile, wherin was gold, which was caried to the enemeis.

THE KING'S HORSEMEN MUSTERED.

Upon Fryday, the thrid of May, the king's horsemen mustered at Leith, before noone. The king asked everie man's surname; and finding one among them called Christesone, he said, "If yee were in St Giles' Kirk, and a Psalme Booke in your hand, yee

would be called an holie man." Suche profane speeches were frequent in his mouth. He would have everie one of his horsemen sweare that they would serve him faithfullie. The most part answered, they would serve God and him.

THE KING SUSPECTETH MRS ANDREW AND JAMES MELVILL.

Becaus Bothwell made faire pretences, and gave out in secreit, that he was imployed by the kirk against the Papists, Mr Andrew and Mr James Melvill were suspected by the king as favourers, and to have furnished money collected among good Christians to his behove. The king made inquirie, but it was hard to find that which was never ather thought or wrought. Mr James Melvill, in his Memorialls, wrytting upon this purpose, hath these words: "I never lyked the man, nor had to doe with him, directlie nor indirectlie; yea, after good Archibald Erle of Angus, I knew not one of the nobilitie of Scotland with whom I could communicat my minde tuiching publict effaires, lett be to have anie dealing in actioun."

THE * * GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, the 7th of May. Exhortatioun being made by Mr David Lindsay, last Moderator, Mrs Andrew Melvill, Patrik Galloway, Patrik Simsone, Robert Pont, being removed, Mr Andrew was chosin Moderator.

PROCEEDINGS AGAINST PAPISTS.

Sessioun 2.

The necessitie of the tyme and effaires which are to be treated, being considered by the Assemblie, It is concluded, that no brother, having commissioun to this Assemblie, depart from the same before the finall dissolutioun therof, without licence obteaned there-

fra, under the paine of suspensioun from their office, untill they be reponed by the said Generall Assemblie againe thereto. And as concerning the penaltie of commissioners that come not to the Assemblie at all, or remaine not whill the end therof, ordeans the register to be considered what hath beene statuted alreadie, and to report after noone.

Sessioun 3.

Tuiching the citatioun of James Drummond, Oliver Young, James Adie, Johne Tend, Patrik Justice, William Hall, indwellers of Perth, at the instance of the brethrein of the presbyterie there, for the slanderous recepting of the apostat lords within their toun; the saids persons compeering, and inquired if they recept the said lords, and acknowledging therin simplie an offence done to God and his kirk, answered, they recept them, but against their will, and for obedience to the king's charge. Alwise, before the comming of the charge, the greatest part of all the toun had condescended to receave them; and being urged with the promise they made not to receave them, and violatioun therof, answered, that promise of assistance was made unto them, and not keeped. After which answere, being removed, and certane good brethrein being directed to conferre with them, and re-entering, they, for themselves, and in name of the whole toun, confessed, to the glorie of God and satisfactioun of the Assemblie, that they were over rash and suddane in receaving suche notorious enemeis to God, desiring most earnestlie that no man be slandered, or take evill exemple thereby; protesting before God, they entered in the toun against their hearts that are present heere; promising, by God's grace, never to give occasioun, in tyme comming; and to assist and mainteane the kirk of God, and his true religioun professed presentlie within this realme, and to resist the enemeis and adversars therof to the uttermost of their power; and to obey and putt in executioun, so farre as concerneth their duetie, the ordinances of the kirk, agreeing with the Word of God. Which confessioun they gave in in writt, and subscribed the samine with their hand,

so manie as could write, in presence of the whole Assemblie; wherewith the brethrein standing content, ordeaned the minister of the toun of Perth to publish the same in pulpit, and to declare the satisfactioun of the Assemblie theranent; ordeaning also the acts concerning this offence, registred in the bookes of the presbyterie, and processe deduced therin against the toun, to be obliterat and putt out of the register.

Sessioun 4.

Tuiching the sentence of excommunicatioun pronounced by the brethrein of the Synodall Assemblie of Fife against the apostat lords, the whole Assemblie, in one voice, ratifieth and alloweth the said sentence and processe of excommunicatioun led against them, ordeaning the whole pastors within this realme to intimat solemnelie at their kirks the said sentence, that none pretend ignorance of the same; except Alexander Lord Hume, who hath satisfied the kirk, and is relaxed therefra.

In this sessioun, inquirie was made what diligence the presbytereis had used for extirpatioun of Poprie, and what discipline against Papists, recepters of excommunicats, Jesuits, and Seminarie preests, that the danger imminent to the true religioun and kirk of God may be considered.

It was thought meete to consider both what the king and the ministers had done. The king's proceedings were considered, and the act made, Januarie, 1592, and the band made at Aberdeen in Marche, 1592, were ordeaned to be registred in the bookes of the Assemblie. The tenour wherof, see above, page 233.

As for the part of the kirk in these dangers, it was found that they had not beene ydle nor negligent in craving remedie; that commissioners from the Assemblie had propouned the articles to the parliament, for forfaultour of the apostat erles; that petitiouns were directed from a conventioun of ministers and barons holdin in Edinburgh, to the king, when he was at Jedburgh, and againe from another conventioun to the king, and conventioun holdin at

Linlithquo; but their travells had small successe, and the danger nothing diminished.

The Generall Assemblie giveth commissioun to their brethrein, Mrs Patrik Galloway, his Hienesse' minister, Peter Blekburne, and Patrik Simsone, to give informatioun to his Majestie of the evident danger imminent to the kirk of God within this realme, according to the instructioun givin to them, and therewithall to present to his Majestie the humble articles and petitions of the Assemblie proponned for removing of the said dangers; and to insist, with all humilitie and due reverence, for his Majestie's good answere thereunto, to the glorie of God and confort of his kirk; and to report with all good diligence his Majestie's answere to the Assemblie, before they dissolve.

THE DANGERS WHICH, THROUGH THE IMPUNITIE OF THE EXCOMMUNICATED PAPISTS, TRAFFIQUERS WITH THE SPANIARDS, AND OTHER ENEMEIS OF THE RELIGIOUN AND ESTAT, ARE IMMINENT TO THE TRUE RELIGIOUN PROFESSED WITHIN THIS COUNTRIE, HIS MAJESTIE'S PERSON, CROWNE, AND LIBERTIE OF THIS OUR NATIVE COUNTRIE.

"The same dangers which of before, by the craftie and pernicious practises of the Jesuits, and the malicious, unnaturall, and treasonable conspiraceis of the Erles of Huntlie, Erroll, and Angus, with their complices, threatned the subversioun of the true religioun, and the professors therof, his Majestie's crowne and person, and betraying of this our native countrie to the cruell and mercilesse Spaniard, and were at that tyme discovered, and vivelie apprehended by his Majestie and estats, and whole bodie of this realme, so evidentlie, that none can pretend ignorance; at this tyme are imminent, more urgent, and more to be feared, nor when the danger seemed to be the greatest, as may evidentlie appeare by the reasons following:—

"1. It is certane that the Spaniard, who, with suche great preparatiouns in 1588 yeere, interprised the conqueist of this yle, re-

maineth as yitt of the same intention, and waiteth onlie upon a meete occasioun to accomplishe that his purpose; as it appeareth cleerelie, by his continuing in this intertainement of intelligence, and traffiquing with the foresaids excommunicats, ever since the dissipatioun of his navie.

"2. The manifest rebelliouns of the foresaids excommunicats, and defection from his Majestie's obedience, after so evident appearances of their wracke, for their manifest and treasonable attempts at the Bridge of Dee, at Falkland, etc., and the prooffe of his Majestie's favours and clemencie towards them in pardoning their said treasons, declareth, that their malicious and restlesse ingynes, in prosecuting of their unnaturall conspiraceis against the religioun and countrie, cannot leave off nor ceasse, so long as they are not punished, nor restrained by justice, and execution of justice.

"3. Where as the kirk at all occasiouns hath insisted to declare to his Majestie, counsell, and estats, the dangers evident for the tyme, and to crave convenient remedeis therunto, yitt, in effect, nothing hath beene obteaned, notwithstanding whatsomever promises, acts, proclamatiouns, roads, etc., wherethrough they have beene putt alwayes in great securitie, and take libertie and boldnesse of farther practises and attempts.

"4. Notwithstanding it was expresslie provided by Act of Counsell, that none sould presume to traffique or speeke in favours of the said excommunicats, under paine of tinsell of their offices, yitt now they are advanced in greater credit of his Majestie, that are knowne to have beene their cheefest favourers; and they ceasse not as yitt, contrare to their promises, to procure them all favour, oversight, and immunitie, as it appeareth in effect, whatsomever they pretend.

"5. The erectioun of the idolatrie of the masse in diverse quarters of the land, as namelie, in Mr Walter Lindsay's hous of Balgay, in Angus; in the young Laird of Bonnyton's hous of Birnes; in the Erle of Angus' hous of Bothwell, in Cliddisdaill, and in the places of his residence in Dowglasdaill; in the Erle of Huntlie's houses of Strabogie and Old Aberdeen; in the Erle of Erroll's houses of

Logyamont and Slains, prove cleerelie, that ather they find themselves sufficientlie assured of suche favour and assistance within the countrie, as may plainlie mainteane their caus by force, or ellis that they are perswaded of the aide of strangers to be in suche readinesse, as in due tyme may serve for their releefe, before that his Majestie and the professors of religioun performe anie thing in effect in their contrare; or otherwise, they durst never so openlie disclose their idolatrie.

"6. The refusall of the Act of Abolitioun offered unto them by his Majestie, to the great greefe of his good subjects, proveth sufficientlie the same; for it is verie probable and manifest, that they would never have refused so great a benefite, except that they had thought themselves fullie assured of a better, ather by favour of court and assistance within the countrie, or by concurrence and aide of strangers without.

"7. Their refusall to enter in waird, notwithstanding his Majestie's indignatioun, and all that might follow therupon, proveth the same.

"8. The late arrivall of the barke at Montrose evidentlie sheweth that their dangerous practises are presentlie at the point of execution against the religioun and the countrie, and must haistilie bring furth some great inconvenient, except they be prevented and resisted by a present remedie.

"9. The opin conventiouns of the forenamed excommunicated erles, holdin at Brechin and other places, since the arrivall of the said barke, declareth, that they esteeme their courses now to be so substantiallie led, that they regard not what may be done for resisting of the same.

"10. The diligence of the said excommunicats, in preparing and putting their whole forces in the North in armes and readinesse upon advertisement, sheweth that they have some present interprise, and attend onlie upon convenience, which appearandlie they are verie muche animated to looke for, since the arrivall of the said barke.

"11. Wheras his Majestie and estats, at the first discoverie of

their conspiraceis, apprehended a verie great danger to the true religioun, the king's estat and crowne, and libertie of the countrie; and notwithstanding that the same causes of danger as yitt remaine whole unremoved, there is no apprehension of anie danger, nor earnest care to withstand it, it is evident that ather there is an inclination and purpose to cover, extenuat, and beare furth the evill cause, wherethrough they will not see, or ellis the Lord in judgement hath blinded and hardened the hearts of all estats, to groppe in the midde day that which they cannot see; which is the greatest danger of all, and a most certane argument of the wrathe of God, and his heavie judgement hanging over the land; and so muche the more to be feared, becaus there is no caus of feare apprehended."

REMEDEIS FOR THE SAME.

"For remedie of the foresaids dangers, the Assemblie ordeans the commissioners to deale earnestlie with his Majestie, that he may apprehend the perrell, and be moved with a bent affectioun to proceed against the forenamed excommunicated Papists, tratours, as followeth:—

"1. That the saids excommunicats be forefaulted without favour, and to that effect, that the parliament appointed to the 27th of this instant be holdin preciselie, without anie kinde of delay; the advocat sufficientlie instructed in everie point, that the summouns may be found relevant, and sufficient probatioun provided.

"There sall nothing of the turne be undone on my part, as I have at lenth declared to the bearers.

"2. That none suspected of religioun be chosin upon the articles.

"Great reason; and farther, as I have shewed the foresaid bearers.

"3. That they be persued after the forefaultrie by way of deid, with all extremitie, and their lands and rents annexed to the crowne, to remaine with his Majestie and successors for ever,

and no part therof disponned to anie in favour of the persons forefaulted.

"Great reason, the forefaultrie being ended.

"4. That, in the meane tyme, his Majestie his guarde be imployed for apprehending Mr Walter Lindsay, the Abbot of Newabbey, Bonnyton, younger, Mr George Ker, Mr Alexander Leslie, Thomas Tyrie, with all other traffiquers, Jesuits, and Seminarie preests, not conteaned in the summouns of forefaultrie.

"How willing I am to be imployed in apprehending anie practising Papist, I remitt me to the bearer's declaratioun.

"5. That the rebells' houses be taikin, charged, and manned, and their livings intromitted with and uptaikin to his Majestie's use without favour; and no part therof disponed to their freinds, or anie other person for their commoditie.

"Great reason, how soon they are forefaulted, and I thanke them for their counsell.

"6. That all persons be inhibited, under the paine of treasoun, and tinsell of life, lands, and goods, to recept, supplee, rise, and concurre, or have intelligence with the foresaids excommunicats, under whatsomever pretence of vassals, dependers.

"Great reason, their forefaltour alwise preceding.

"7. That the whole subjects be charged to putt themselves in armes, by all good meanes they can, remaining in full readinesse to persue and defend, as they sall be certified by his Majestie, or otherwise finding the occasioun urgent.

"To be readie at my charge is verie meet, but I understand not the last claus of urgent occasion.

"8. That the barke arrived at Montrose be apprehended, and the persons that were within her, together with suche others as have had a dealing with them, according as they sall be givin up in ticket, be called, and diligentlie examined, for discoverie of the practises and purposes which they have presentlie in hand.

"I sall omitt no diligence in that which can be required at my hands, as I sall answere to God.

"9. Forasmuche as the Lord Hume hath contraveened sindrie points, wherin he was obliged unto the Kirk of Edinburgh, by his promise, at the receaving of his subscriptioun; as namelie, in not satisfeing the Assemblie of Fife, in not receaving a minister in his hous, in not removing furth of his companie Captan Andrew Gray and Thomas Tyrie, whereby, as also by his slanderous life since his subscriptioun, he has givin just caus of suspicioun to the kirk and all good men, that in his heart he is not yitt truelie sanctified and converted to the true religioun; therefore, that his Majestie would take earnest tryell of the premisses, and there judge if there appeare in him suche a sinceritie of life and religioun as his Majestie may lippin unto, and the kirk looke for sure freindship in so dangerous a tyme, in the caus of religioun; which not being found, that his Majestie would remove him from his companie, and discharge him of all publict office and commandement.

"*Distingue tempora, et concordabis Scripturas.* The meaning of this the bearer will shew unto you.

"10. That the guarde presentlie taikin up be tryed, together with their captans, in respect of manie complaints givin in against them to the Assemblie.

"The complaints belong not to their office. Alwise, I have satisfied the bearer heerin."

(*Sic subscribitur*) "James R."

"*At Edinburgh, the* 10*th of May*, 1594.

"The Assemblie giveth commissioun to Mrs Patrik Galloway, Robert Rollock, Patrik Simsone, James Melvill, James Nicolsone, to propone the dangers and remedeis above-writtin to his Majestie, and to report his Majestie's answeres therunto."

(*Sic subscribitur*)

"Mr Andrew Melvill, *Moderator*."

Sessioun 12.

Alexander Lord Hume compeering in face of the Assemblie, and inquired by the Moderator, if he confessed in his heart before the Lord, and with his mouth, that he was justlie cast out of the kirk, by a sentence of excommunication pronounced against him by the Synodall of Fife, and as he would answere, upon paine of his salvatioun and damnatioun, simplie to speeke the truthe theranent; protested and acknowledged opinlie, that he was justlie excommunicated, and confessed his fault therin; and being inquired, why he sought not to be relaxed from the said sentence, according to the directioun of the Presbyterie of Edinburgh? excused him, by ignorance of that part of the act; as also, being accused that he deteaned the stipends of sindrie of the ministrie, speciallie of Chirneside, answered, he was readie what he ought to doe of law.

Being farther demanded, why he hath not keeped conditiouns speciallie sett doun in the act of the Presbyterie of Edinburgh, as namelie, tuiching a minister in his owne hous; tuiching the removing of Thomas Tyrie out of his companie? answered, that he remembred not that he was oblished by promise to have a minister in his hous; yitt, in that point, he is content to have one, as the kirk sall appoint. And as to Thomas Tyrie, grants he was in his service since his subscribing, but understood not that he was obliged to remove him, whill the kirk proceeded to excommunicatioun against him; which he beleeveth he sought of the kirk, and beleeves they granted it. Alwise, fra the said Thomas was excommunicated, he removed him out of his companie. And as to Johne Tyrie and Captan Gray, they are not his servants.

Being inquired, if there was anie person called Cowy, whom with he spake shortlie, or anie sett on land, with the barke that came last in; denyeth the same. And inquired, if Macquirrie was in his hous shortlie, grants, within these five dayes he was in his hous, and came by his witting, having nather letter nor commissioun to him, and past away within halfe an houre. And, last of

all, the said lord confessed, in presence of God and his holie angels, whom he tooke witnesse, and the Lord Jesus, whom he tooke Judge, when he sall come to judge the quicke and the dead, that he professeth from his heart the religioun presentlie professed by his kirk heere present, wherof alreadie he hath subscribed the articles before the Presbyterie of Edinburgh, and with his solemne oath confessed before them, and now confesseth before the Assemblie, to be the onlie true and infallible religioun which leedeth to salvatioun, wherin he mindeth to live and dee, and sall to the uttermost defend against all the enemeis therof; and denyeth, as he sall answere to the dreadfull God, the Roman Catholick religioun, as the antichristian religioun, directlie opponned to the truthe of God, and his true service; which he testifieth to the whole Assemblie, by upholding of his hand, and with solemne witnessing of God, that he hath no dispensatioun nor indult to subscribe or sweare to the said articles.

For farther satisfactioun of the brethrein, the Assemblie ordeans my Lord Proveist of Edinburgh, Alexander Hume, the Laird of Aittoun, Mrs Johne Davidsone, David Blacke, David Lindsay, to deale farther with my Lord after noone, to try of his full resolutioun.

Sessioun 14.

The which day, compeered Alexander Lord Hume in Assemblie, and with all humilitie craved, that he might be absolved from the sentence of excommunicatioun led against him; protesting before God, he would in tyme comming give prooffe of obedience and service to God, and mainteane the truthe of His religioun presentlie professed by the kirk heere present, to his live's end. And although he sometimes was in a different religioun from them, now avoweth (he being better instructed in the heed, wherin he sometyme differed from them) the present Confessioun of Faith, and religioun professed presentlie by the Assemblie; and if he sall heerafter declyne therefra, submitts him in that cace to the Assemblie

of the Kirk, hoping, by God's grace, never to make defectioun therefra. The Assemblie, in respect this mater hath beene past by word, hath thought meet, that certane conditiouns be sett doun in writt, to be subscribed by his Lordship; therafter, his sute of absolutioun to be considered.

Sessioun 15.

The conditiouns under writtin being proponed to Alexander Lord Hume by the Generall Assemblie, to testifie his unfained repentance; after reading of the saids articles severallie, first, he ratified and approved the subscriptioun and oathe givin by him to the Confessioun of Faith, at Edinburgh, the 22d day of December last, and that with a solemne oath, holding up his hand, and agreed to the samine articles and everie one of them; and in tokin of acceptatioun therof, protesting he doeth the same sincerelie, subscribed the same with his hand; humblie requiring, in respect of his obedience and repentance, that the Assemblie would relaxe him from the sentence of excommunicatioun pronounced against him.

The Assemblie, in respect of his repentance shewed, his oath and declaratioun givin yesterday, and obedience in subscribing the said conditiouns, being satisfied therewith, and hoping that he sall fullie keepe promise in tyme comming, ordeans him to be absolved from the said excommunicatioun, and the sentence of absolutioun to be pronounced by the Moderator, the morne, at meeting.

Follow the Conditions.

1. "The Assemblie craveth, that the said Alexander Lord Hume ratifie and approve the subscription and oath givin by him to the Confessioun of Faith, at Edinburgh, the 22d day of December last, or subscribe and sweare again *de novo*, in face of the whole Assemblie, as sall be thought expedient.

2. "That he remove and hold furth of his companie all Papists and traffiquers against true religioun, and whatsomever persons sall

be delated to his Lordship, to be suspected and corrupt in religion; that he receave and interteane within his hous Mr Archibald Oswald, as his ordinarie pastor, and failing of him, some other discreit and godlie minister, by advice of the Presbyterie of Dumbar, and that he make his familie subject to the Word and discipline.

3. "That he resort to the publict hearing of the Word, in all places where it sall happin him to repaire and have his residence, and that he communicat.

4. "That he make his whole tennants and servants subject to the discipline of the kirk where they remaine.

5. "That he repaire all the ruinous kirks within the Pryorie of Coldinghame, and provide sufficient livings for pastors planted, and to be planted thereat, according to the Act of Parliament; and siclyke, of all kirks within his bounds, so farre as law and reasoun may bind thereto.

6. "That he make thankefull payment to the ministers of Chirneside, Swintoun, and Fishack, of their stipends, conforme to their assignations and decreits past therupon, incace he be obliged therto by law.

7. "That he concurre by his counsell, credite, and assistance, for maintenance of the true religion publictlie professed and taught within this realme, with the mainteners therof, against all and whatsomever would come in the contrare, within the countrie or without.

8. "That he nather recept, mainteane, assist, intercommoun, or have intelligence with the excommunicated Popish lords, Jesuits, Seminarie preests, or traffiquing Papists, nor solist for them, or shew them favour, directlie or indirectlie, in judgement or out of judgement.

9. "That he nather reasoun, nor suffer anie reasoning to be against the true religion, or anie points therof, in the places where he may inhibite the same.

10. "That he imploy himself carefullie to apprehend, and present to justice, Mr Alexander Mackquhirrie, and all and whatsomever Jesuits, Seminarie preests, and traffiquing Papists, that

sall resort within his bounds; and that he doe nothing which may be found by the minister appointed for the tryell of his behaviour, to be prejudiciall to the true religioun presentlie professed by the Generall Assemblie heere presentlie conveened. And incace he sall be found to contraveene in anie one of the foresaid points, that, in that cace, he consent to be summarilie excommunicated, upon the notorietie of the fact. And in testimonie of his acceptatioun of the said conditiouns, that he subscribe these presents with his hand."

(*Sic subscribitur*) "ALEXANDER L. HUME.

"Forasmuche as Alexander Lord Hume, by his subscriptioun, is bound to observe and keepe the conditiouns propouned to him by the Generall Assemblie, and accepted by him, and incace he be found to contraveene the same, or anie of them, that, in that cace, to be summarilie excommunicated upon the notorietie of the fact; the Generall Assemblie giveth libertie to whatsomever Presbyterie that sall understand of his contraventioun of the said conditiouns, to call him, and to try him of the said contraventioun, and convict him therof, if he be found guiltie; and the convictioun to be directed and sent to the Presbyterie of Edinburgh, to whom the Assemblie giveth commissioun summarilie to pronounce the sentence of excommunicatioun against him."

Sessioun 16.

According to the ordinance of the Assemblie, the actioun of the absolutioun of Alexander Lord Hume being committed to Mr David Lindsay, exhortatioun being first made, the said lord was inquired, if he was sorie in his heart for the fault and offence he had committed, and that he had incurred the said sentence, and found in earnest dolour in his heart, for that he was separated from the kirk heere present, so long thristing most earnestlie to be joyned thereto, as a member of Christ's bodie; and promising, as he sall answere to God, in tyme comming, to continue a constant professour in the

truth of his religioun presentlie and publictlie allowed by the Kirk of Scotland here conveened, to his live's end, and to show the fruicts of a true Christian in his life, removing all slanderous persons furth of his companie? Who answered, in God's presence, it was his true meaning, and intended to show the same in evident effects in tyme comming. Wherefor thanks being givin to God, and prayer made, he was solemnelie absolved from the said sentence by the said Mr David, and receaved by him in name of the said brethrein, and embraced as a member reconciled to the kirk.

In the 13th sessioun, Mrs Andrew Melvill, James Nicolsone, Robert Rollock, Robert Bruce, Johne Davidsone, Johne Craig, David Lindsay, Patrik Galloway, James Melvill, Walter Balcalquall, Alexander Forbesse, James Robertsone, David Fergusone, were ordeaned to treate upon the offence conceaved by the king against Johne Rosse; and so manie of the brethrein of Stirline as were present were warned to be readie when they sould be called for. In the eighteenth sessioun, they reported their advice and proceedings, in writt, as followeth:—

"First, They have found that the people departed not out of the kirk before the end of the doctrine, as it hath beene reported unto his Majestie, wherethrough he might have uttered anie kinde of offence; and that the said Assemblie had pronounced no damnatour sentence against him, but that they onlie admonished him upon suche causes and considerationns as after follow:—

"1. In respect he delivered that doctrine at that tyme, when his Majestie's rebells and enemeis were assembled in the feilds; wherethrough it might appeare to the people that the kirk allowed Bothwell's treasonable attempts, and that the Assemblie, of purpose, had placed him in that rowme, to alienat the hearts of his people from his Majestie's obedience.

"2. In respect of certane speeches delivered by him, without anie sufficient warrant, so farre as they could see and understand; and namelie, that sentence pronounced against the house of Guise *de futuro*.

"3. In respect of the hard deliverie of speeches spokin of his

Majestie, which might have beene thought to have craved greater yeeres, and farther experience. Farther, the whole brethrein, both of the conference and of the Provinciall of Perth, all in one voice acknowledged, that there is just caus of a sharpe rebooke, and threatning of heavier judgements furth of the grounds of that text, than hath beene or might have beene uttered by him; and whatsoever he uttered, as he deponed before God, and upon his conscience, he uttered it out of love, seeking alwayes his Majestie's standing; of no preoccupyed minde, prejudged opinioun, or troubled affection, but of a soule thristing, and seeking alwayes his Majestie's honour and weale in God; and, therefore, approves his whole doctrine in that point, as it has beene read and declared by himself, in suche heeds as seeme to be most offensive.

"And as concerning the admonitioun of the Provinciall of Perth, and the causes moving them therunto, the brethrein reverence and allow their judgement in all things, upon consideratioun, as is before expressed. Onlie, tuiching that sentence concerning the hous of Gwise *de futuro*, becaus the whole brethrein heard it not, and he himself professeth that he remembreth not that he spake so, nather had he suche meaning at anie tyme, and confesseth his fault, if suche a word hath fallin out, the brethrein thinke with himself in that point, that if he has spokin so, he hath failed, having no just warrant. And being minded to satisfie his Majestie alwayes, so farre as possiblie may be with a good conscience, after earnest incalling of the name of God, for assistance of his Spirit, and long advisement, have found it good, that the admonitioun of the Provinciall of Perth, as said is, be reverenced of the said whole Generall Assemblie; and that the Generall Assemblie at this tyme give farther the said Johne Rosse a grave and earnest admonitioun to speeke at all tymes reverentlie, and with suche wisdom of his Majestie, as he alwayes may have so cleere a warrant of his speeches as may fullie satisfie his owne conscience before God, and have the approbatioun and allowance of all the godlie brethrein. And that this admonitioun be extended to all other young men of the ministrie, and to the whole Assemblie."

Which judgement of the said brethrein being weill considered by the whole Assemblie, after good deliberatioun, voted to the approbatioun of their said judgement, and allowed the same in all points. And therafter, the said Johne Rosse being called in, he, in presence of the said Assemblie, protested before God, and in his conscience, that whatsoever he uttered in the doctrine delivered by him, he uttered the same for love to his Majestie's weale and standing; of no preoccupyed minde, prejudged opinioun, or troubled affectioun, but of a soule seeking his Majestie's honour and weale in the Lord, having nather ey nor respect to his Majestie's tratours being then in armes upon the feilds; yitt granting some words hardlie delivered, though truelie. And as concerning the words spokin of the hous of Gwise *de futuro*, as is alledged, before the Lord remembreth not that he spake suche words, nather had intentioun or meaning to speeke the same; and if he spake the same, it was a fault, *et lapsus linguæ*. The Moderator, at command of the said Assemblie, in the name and feare of God, admonished the said brother, and all other young men of the ministrie, and the whole Assemblie, in all tyme comming to speeke so reverentlie and discreitlie of his Majestie, that they may have so cleere warrant of their speeches, as may fullie satisfie their owne conscience before God, and have approbatioun and allowance of all the godlie, and his Majestie have no just caus of complaint and mislyking in tyme comming. Which admonitioun the said Johne with all humilitie reverenced.

INSTRUCTIONS TO SIR ROBERT MELVILL OF MORDECAIRNIE, AND ALEXANDER HUME OF NORTHBERWICK, COMMISSIONERS FOR HIS MAJESTIE AT THE PRESENT GENERALL ASSEMBLIE: OR ARTICLES PROPONNED IN HIS MAJESTIE'S NAME TO THE SAID GENERALL ASSEMBLIE AT EDINBURGH.

1. "To protest, that his Majestie's royall priviledge, newlie sett furth by act of parliament, be not prejudged, in conveening of the nixt Generall Assemblie; and to that effect, that before their dis-

solving at this tyme, they direct some of their number to his Majestie, to be resolved by him, upon the tyme and place of the nixt meeting of the Generall Assemblie, according to his Majestie's propositioun, and their promise, in the last Generall Assemblie holdin at Dundie.

2. "That they will ratifie and approve, by act of this present Assemblie, their promise made to his Majestie in their foresaid last Assemblie, that in anie thing that anie of the ministrie had to crave or compleane to his Majestie, they sould doe it by particular conference with himself; and not utter publictlie in pulpit anie unreverend speeches against his Majestie's person, counsell, or estat, under the paine of deprivatioun. And that for this caus, they will presentlie try and censure one of their number, who hath contraveened the said act; and in speciall, that they will examine so manie of their number as were present at the last Synodall Assemblie holdin at Perth, and charge them, upon their great oaths and consciences, first, to declare what treasonable and unreverent speeches of his Majestie they heard Johne Rosse utter publictlie from the pulpit in all their audiences; and nixt, whether they censured him for the same thereafter or not; and to desire them in his Majestie's name, that, according to the synod censuring of him, they would judge him as he demeriteth on the one part, and his Majestie's modest behaviour ever since the beginning of that turne hath deserved.

3. "That they will excommunicat Mr Andrew Hunter, for bringing in a scandall upon their profession, as the first opin tratour of their factioun, against a Christian king of their owne religioun, and their naturall soverane.

4. "That by act of the Assemblie, they will ordeane everie particular minister within their charge to disswade, als weill by publict as privat exhortatioun, the flocke committed to their cure, from concurring with the treasonable attempts of Bothwell, or anie other tratours that raise, or sall raise themselves up, against the lawfull authoritie placed by God in his Majestie's person; and speciallie, that they sall narrowlie take heed, and not suffer anie of their

flocke be seduced, under colour of religioun, or whatsomever false pretext, to receave wages, or become souldiours for service of anie persons, except they see his Majestie's commissioun and warrant therunto; and namelie, of Bothwell, who has presentlie, in diverse parts of this realme, attempted the same.

5. "That in respect the parliament tyme is at hand, and the occasioun will suddanlie serve, for declaring his Majestie's honest and godlie intentioun for persecuting of the Popish excommunicated lords, both by law and otherwise, that therefore they will select one or two commissioners, of the discreitest and wisest of everie principall presbyterie, and give them commissioun to attend upon his Majestie at this tyme, als weill that his Majestie may have their good advice and assistance in his good turne; no lesse concerning the estat of religioun, than the estat of his Majestie's crowne and countrie, and likewise that his Majestie may, by their moyen, direct and informe what he would wishe to be done by the whole rest of the ministrie, as occasioun sall serve, from tyme to tyme, to be present."

(*Sic subscribitur*) "JAMES R."

HUMBLE ANSWERES OF THE GENERALL ASSEMBLIE CONVEENED AT EDINBURGH, THE 27TH DAY OF MAY, 1594, TO HIS MAJESTIE'S ARTICLES PRESENTED BY HIS COMMISSIONERS.

1. "Tuiching the tyme and place of the Generall Assemblie, the same is appointed by advice of his Highness' commissioners present, according to act of parliament.

2. "The act made by the Generall Assemblie at Dundie is, *de novo*, ratified and approved, and the particular of Johne Rosse resolved, as his Majestie sall be informed more particularlie by the commissioners of the Assemblie, to be directed to his Grace.

3. "Tuiching Mr Andrew Hunter, the Assemblie hath proceeded, and givin a sentence of depositioun for his offence against him, whill he satisfie his Majestie and the kirk.

4. "Everie particular minister within his charge is straitlie commanded to disswade their flockes, als weill by publict as privat ex-

hortations, from concurring with the treasonable attempts of Bothwell, or anie other tratour to his Majestie, that raiseth, or sall raise themselves up against his authoritie. And siclyke, to take heed, and suffer not their flockes, under colour of religioun, or whatsomever false pretexts, to receave wages of anie persons without his Majestie's warrant; and namelie, of the said Bothwell.

5. "They have appointed a reasonable number of brethrein to await on his Majestie for satisfeing the last article."

Mr Andrew Hunter was deposed from the functioun of the ministrie, becaus he deserted his flocke, was fugitive from the lawes, and was bruted and suspected to have joyned himself with the king's rebells; and that till he satisfied the king and the kirk for his offence. He had followed Bothwell, and being forced to leave the countrie, became a minister unto souldiours in the Low Countreis.

THE GOODMAN'S CROFT.

Sessioun 11.

Tuiching the horrible superstitioun used in Garioch and diverse parts of the countrie, in not labouring a parcell of ground dedicated to the devill, under the name of the Goodman's Croft; the Assemblie, for remedie therof, hath found meete, that an article be formed to the parliament, that an act may proceed from the estats therof, ordeaning all persons, possessors of the saids lands, to caus labour the same, betuixt and a certane day to be appointed thereto; otherwise, incace of disobedience, the saids lands to fall in the king's hands, to be dispouned to suche persons as please his Majestie, who will labour the same.

A FAST.

This Assemblie ordeaned, in the 15th sessioun, a fast to be keeped within the Presbyterie of Edinburgh, and suche other parts where the samine may convenientlie be had, upon the Lord's day,

the 26th of this instant, immediatelie preceeding the parliament; and his Majestie to be remembred that an exhortatioun be had the first day of the parliament, according to the custome observed before, and a thanksgiving at the conclusioun therof by one of the ministrie: and also, that his Majestie be putt in minde of the fast appointed the foresaid day, to the end his Majestie and houshold may keepe the same. It was ordeaned also, that a fast sould be observed universallie through the whole realme, the two last Sabboths of Junie nixtocum, with exhortatiouns and prayers on the weeke dayes, betuixt the two Sabboths.

THE CONFERENCE BETUIXT THE KING AND COMMISSIONERS OF THE ASSEMBLIE.

When Mr James Melvill was nominated to be one of the commissioners that were directed to his Majestie, to propone the dangers and remedeis above writtin, some said it was not convenient, seing he was suspected by the king, and not gracious to him. He stood up and said, "I have beene often imployed in commissioun against my will, and when things were more dangerous, evin when others refused; but now, for the verie reasoun alledged, I will requeist for it as for a benefite, for it will be the onlie way to cleere both yourselves and me of suspicioun. For, otherwise, I was of purpose to present myself at court before the king, to see if anie man had ought to say to me."

The brethrein were glade, and directed him with the rest. When they came to Stirline, and had gottin his Majestie's answere, by his owne handwritt upon the margent of the remedeis to their owne contentment, Mr James Melvill desired that his traducers would shew their face before him, as he did. The king said he had nothing to lay to his charge: he acknowledged both Mr Andrew and him to be his most faithfull and trustie subjects. So that Mr James, who went to Stirline a suspected tratour, returned to Edinburgh a great courteour, yea, a cabinet counseller; for the king conferred with him at the same tyme in his cabinet. This is

sufficient to justifie that man of God, in that point, against the calumneis of Spotswod, pretended Archbishop.

The commissioners obteaned of the king a promise that the parliament sould be holdin with all diligence, wherin the excommunicated erles sould be forefaulted, and after proceeded against by fire and sword. The king, at this tyme, regraited to the commissioners, in his cabinet, that he found not that freindlinesse in the kirk which he craved and wished. Mr James being spokesman, answered, there was a peccant humour in the bodie, which behoved to be purged, ellis it could not be out of danger of disease, yea, death. The king asked him what that was? He said, It was suspicioun on either side; for purging wherof, it were best that the greeves and occasiouns of suspicioun were shewed. The king thought it verie meete and pertinent, and beginneth to opin his greeves. First, concerning the assembling of his subjects without his licence. It was answered, It was done by warrant of his Majestie's lawes, and of Christ in his Word, and according to the custome of our kirk since the beginning, which never was, nor by the grace of God ever sall be done, to the hurt of his Majestie, but to his honour and weale. The secund, concerning the excommunicatioun of his speciall servant, a nobleman, the Lord Hume. They answered, That he was a professed dangerous Papist, running in a dangerous course with the rest; but how soone he repented, and withdrew himself from them, as they were in good hope he sould doe, and approved himself to the present Assemblie, he sould be relaxed. The thrid and last was concerning Mr Andrew Hunter, who had kythed in opin feilds with Bothwell. They answered, That, incontinent therafter, the Presbyterie of St Andrewes had proceeded against him, and had deposed him of his office of the ministrie. Then Mr James asked if he had anie thing to say to him. He said, "Nothing more than to the rest," etc. He thanked God, etc.

MR R. PONT'S REBOOKE.

Upon the Lord's day, the 19th, Mr Robert Pont, teaching upon Rom. x. 9, 10, 11, 12 verses, said there was great alteratioun in the professers of this tyme, from the bold confessioun which was at the beginning of reformatioun, when a few durst oppone themselves to the whole power of the land, in the worke of reformatioun and constant confessioun of the truthe; yea, the authoritie and whole nobilitie of the land being against them, and not one lord with them. Onlie the Maister of Lindsey, this lord's father, tooke the caus first in hand; which God so blessed at lenth, that the present libertie ensued therupon: whereas now, the authoritie and lawes standing for us, and the whole realme, as it were, professors, three meane lords darre professe and erect idolatrie in sindrie parts of the land, and yitt no man darre, for confessioun of the truthe, withstand them, and putt hand to reformatioun. "The Lord," said he, "stirre up some chiftan to pull doun that idolatrie, that the godlie may joyne with him and follow; and lett the rest goe to the devill from whom they came." Upon the Lord's day, the 26th, preaching upon the 20th Psalme, he said, we could not pray with David's people to fulfill the desire of the king's heart, becaus we suspected our king's heart not to be upright; which the countenancing of evill men, and unreverent hearing of the Word, declared.

THE PARLIAMENT.

Upon Tuisday, the penult of May, the king came to the Tolbuith of Edinburgh, the Lord Hume ryding upon his left hand, and Carmichaell on his right hand, the Lord Hammiltoun and Chancellor at his backe. The duke caried the crowne, Montrose the scepter, Marr the sword. The toun stood in order, betuixt the Stinking Stile and the Neather Bow. The king's guarde of horsemen preassed to be neerest the king; the citicens resisted, by rea-

soun of their priviledge to guarde the king's person in tyme of parliament, till he depart the toun. Sindrie swords were drawin out, but no blood was shed. After the king's entrie into the Tolbuith, a charge was givin with beating of the drumme, that no man, under paine of death, shoot during the tyme that the king was within the ports.

THE SUMME OF THE KING'S HARANGUE.

After a short exhortatioun made by Mr Patrik Galloway, upon the beginning of the 82d Psalme, the king had an harangue, wherin he said that he had used plaister and medicine hitherto in dealing with the rebellious lords; but that not availing, he was now to use fire, as the last remedie. He declared, that this present parliament was but a continuatioun of the former, becaus, at the former, the erles were summouned to compeere, and answere to suche crymes as sould be layed to their charge, but disobeyed. Nixt, that he had convocated certane of the nobilitie, to whom he gave commissioun to cognosce of their faults; who found that they sould be absolved from all former offences, upon certane conditiouns, which they had disobeyed. Farther, that he had required them, by an herald, to enter their persons in waird, till they were tryed, which they also contemptuouslie disobeyed; and, therefore, seing that he cognosced their subscriptiouns, he required the lords to doe in that caus as God and good equitie sould require.

There were chosin to sitt on the articles, the duke, the Lord Hammiltoun, the Erles of Marshall, Montrose, Marr, Hume, Livingstoun, Lindsey, the Constable of Dundie; the Lairds of Garleis, Wauchton, Colinton, Largo, &c.; prelats, the Abbot of Inchaffrey, Mr Edward Bruce, the Abbot of Kinlosse; Commissioners for Edinburgh, Clement Cor, George Heriot, the Proveist of Aberdeen. Mr Edward Bruce reasouned for the excommunicated lords. Upon Fryday, the Lords of the Articles tooke to advise; wherupon the ministers went, the day following, to the Tolbuith, to admonish the king and the lords. Mr Andrew Melvill said, "Sir, it is true

manie thinke it a mater of great weight to overthrow the estat of three so great men. I grant it is so: yitt it is a greater mater to overthrow and expell out of this countrie three farre greater; to witt, true religioun, the quietnesse of the commoun weale, and the king's prosperous estat." Directing his speeche to the lords, he said, mirrilie, "If yee can gett us a better commoun weale nor our owne, a better king, we are content the traterous lords be spaired; otherwise, we desire you to doe your duetie. There come some heere to reasoun who have no interest, but ought to be excluded by all law;"—meaning of the Pryour of Pluscardie, brother to the Lord Setoun, who was after made chanceller. Some answered, that he was a man of honorable place, President of the Sessioun. Mr Andrew answered, more honorable were debarred from place among the Lords of the Articles. The king confessed it was true, and promised it sould be amended. "Nixt," said Mr Andrew, "there are some on the Articles justlie suspected partiall, and almost als guiltie as the persons that are to be tryed." The Abbot of Inchaffrey and Mr Edward Bruce, sitting together, laughed. The king asked at Mr Andrew, who it was that was suspected? Mr Andrew said, "One laughing there." Mr Edward asked, if he meant of him. Mr Andrew answered, "If yee confesse your self guiltie, I will not purge you: but I meant of Inchaffrey there, beside you." The king sayeth to Mr Edward, "That is Judas' questioun, 'Is it I, Maister?'"—whereat was muche laughter. The king proceeding, said, "Weill, my lords, howbeit I might vote, I will onlie sitt heere: see you doe right, and informe you, according to the lawes: I will nather command nor forbid to agree to their forefaultrie. This I will say, they have committed high treasoun and idolatrie; for I assure you they have all the masse in their houses, which I could prove by witnesses: their traffiquing with Spaine is certane, and I could (if it were needfull) prove the same at large. As for the blankes and writts, they are theirs, I assure you; therefore, looke yee to it, as yee will answere to God and me." This night, the forefaultrie of the three excommunicated erles was agreed

upon by all the Lords of the Articles save five, to witt, Marshall, Montrose, Inchaffrey, Wauchton, and the Proveist of Aberdeene.

I have heere subjoynned the forme and probatioun of the summons of treason used against the excommunicated erles at this parliament, as appeareth, for I find no other tyme wherunto to referre the same. But I have sett them doun heere as I have found them in a certane manuscript.

THE FORME AND PROBATION OF THE SUMMONS OF TREASON CONTRARE WILLIAM ERLE OF ANGUS, GEORGE ERLE OF HUNTLIE, FRANCIS ERLE OF ERROLL, AND SIR PATRIK GORDOUN OF AUCHINDOUN, KNIGHT: WHICH SUMMONS CONTEANE THREE SEVERALL REASONS, SUFFICIENTLIE PROVED AND VERIFIED IN MANER FOLLOWING:—

"*Imprimis*, The -king's Majestie's advocats produced eight blankes in paper; two therof subscribed by the said Erle of Angus allanerlie, other two by the said Erle of Huntlie allanerlie, other two by the said Erle of Erroll allanerlie, and other two subscribed by the said three erles, and the said Laird of Auchindoun.

"*Item*, They produced diverse and sindrie seales of the said erles * * in paper.

"*Item*, An act of parliament subscribed by the Clerk of Register, tuiching the punishment of them who traffique against the religioun.

"*Item*, Diverse and sindrie depositiouns of Mr George Ker, noted by letters.

"*Item*, Diverse and sindrie depositiouns of umquhile David Grahame of Fintrie.

"*Item*, The processe and doome led and givin against the said umquhile Laird of Fintrie, which conteaneth the first reasoun of the said summouns, and verifieth, that traffiquing against the religioun is found alreadie by an assise to be treasoun.

"*Item*, They produced the letter of commendatioun writtin by

Mr James Gordoun, in favour of Mr George Ker, together with two obligatiouns subscribed by the said Mr James and Mr Robert Abercrumbie, to prove their fained subscriptiouns to be their owne hand writt, *per comparationem literarum;* viz., Sandesone to be Abercrumbie, and Christesone to be Gordoun; and to prove that the said Mr George Ker was purposed to saile to Spaine with the blankes, which is likewise confessed by himself in his depositiouns, *ultimo Januarii*, 1592, which confessioun is repeated by the said advocats, *in modum probationis.*

"*Item*, They produced the interloquitor givin by the Lords of the Sessioun, finding, that infamous persons, bairnes, or persons being fellowes or companions in the same cryme, may be witnesses in the caus of treasoun and heresie.

"*Item*, They produced sindrie letters writtin by the said Mr James Gordoun, under a fained name of James Christesone; and, siclyke, a letter writtin by Mr Robert Abircrumbie, having a fained subscriptioun of Robert Sandesone; and a letter writtin and subscribed by the said umquhile Laird of Fintrie, having also a fained subscriptioun of David Foster, which false subscription and name to be his owne name he confessed in his depositiouns, 20 *Januarij*, 1592. Which confessioun is repeated *in modum probationis;* and for proving of his hand writt *per comparationem literarum*, repeated the subscriptioun of his depositiouns, and a letter writtin and subscribed by his owne hand, directed to the king's Majestie.

"*Item*, They repeated the depositiouns of witnesses, both tuiching the principall summouns, and also tuiching the incident summouns raised for recognoscing of the hand writts and subscriptiouns of the blankes, and of the seales; likewise of mutilatioun and alteratioun of the fained subscriptions.

"They repeated the thrid reasoun of the summouns, *in modum probationis* of the first reasoun therof, becaus the said erles and Laird of Auchindoun being suspected of treasoun, and charged to enter in waird therefore, and, disobeying the same, have incurred the paine of treasoun, by reasoun of their contumacie, becaus of the law: he that is *contumax* may be condemned, by reasoun that his contumacie causes him to be esteemed as present, and inducetb

against him a confessioun of the cryme, (3, 4, 9, c. *decernimus.*) And it is of truthe, he is called *contumax* of the law, who is summouned by a peremptor summouns, and compeereth not at the peremptour day to the which he is summouned. L. *Contumacia*, et ibi *Gloss.* ff. *De Re Indic.*

"They repeated the act of parliament made 5th Junie, 1592, against Jesuits, Seminarie preests, traffiquing Papists, and recepters therof.

"They produced the sentence of excommunicatioun against Mr James Gordoun, Mr Walter Lindsay, Mr Alexander Leslie of the Peill, umquhile David Grahame of Fintrie, receaved and mainteaned by the saids erles and Laird of Auchindoun, to prove the said Mr Walter and others to be Papists and professors of the Roman religioun.

"To prove the said Mr Walter and others to be traffiquers against the religioun, the said advocats produced letters of horning, whereby the said Mr Walter, and the said Mr Alexander Leslie, are denounced rebells, and putt to the horne, for not finding of cautioun to underly the law before the Justice and his deputs, for traffiquing against the religioun presentlie professed within this realme. And, likewise, they repeated the doome of forefaultrie givin and pronounced against the said umquhile David Grahame of Fintrie, together with the depositioun of the witnesses.

"They repeated, *in modum probationis*, the act of parliament made by King James the Secund, concerning wairding of persons suspected of treasoun.

"They repeated the king's letters, with the indorsatiouns therof, whereby the said erles and Laird of Auchindoun are charged to enter their persons in waird.

"They produced the act and decreit of the Secreit Counsell made at Edinburgh the 8th of May last was, with the publicatioun therof, at the Mercat Croce of Edinburgh, upon the 12th day of the said moneth and yeere, finding and declairing, that the saids three erles and Laird of Auchindoun have contraveened the said charges, and, therefore, ordeaning them to be reputed, holdin, and persued as tratours.

"They produced the doome of forefaultour, givin and pronounced 5th September, 1582, against umquhile Archibald Erle of Angus, Sir George Dowglas, and Archibald Dowglas, their father brother, forefaulted for disobedience, and refusing to fulfill the command and charges givin to them by King James the Fyft, of good memorie, for non-entering their persons in waird.

"They produced the old summouns of treasoun, and executions therof, to prove that the persons accused were delated and suspected of the treasoun libelled.

"*Item*, The saids advocats repeated all and sindrie the writts above mentioned, for probatioun of the said summouns, and everie reasoun, point, and article thereof, *in quantum, etc.*, and the manifest notorietie of the crymes libelled; and that of the law, '*Sufficit allegare notorium, et non probare.*'

"Together with the publict voice and fame which, by the law of this realme, is a sufficient accusatioun and probatioun, in the quyett and hid cryme of treasoun.

"And, also, they repeated all and sindrie whatsomever depositiouns, probable conjectures, suspicions, and presumptiouns, which are manifest in this caus, and are relevant probatiouns of all crymes that are quietlie done, and difficill to be proved; and, speciallie, in the cryme of treasoun, as is plainlie decided in the law of this realme, called *Regiam Majestatem*, lib. 4, c. 1.

"And for verificatioun of the said presumptiouns, there is heerewith produced a catalogue of false and fained names, of these who are traffiquers in this mater.

"*Item*, They repeated the secund reasoun, tuiching the recept of tratours, Papists; and the thrid reasoun, tuiching the contumacie of the persons accused, for probatioun of the said summouns; and, mutuallie, eache one of the reasouns therof, for probatioun of the other.

"And, moreover, they repeated the notorietie of the treasoun committed at the Bridge of Dee, for the which sindrie of them came in his Majestie's will, which is a confessioun of the cryme; together with the manifest treasoun committed by them, and ilke

one of them, in recepting of certane strangers, latelie in the same moneth landed in the toun of Montrose, and are traffiquers and treasonable mutiners, and raisers of seditioun against the state of the realme and religioun; and are presentlie, lyke as they have beene since the tyme forsaid of their arriving in this realme, receaved, assisted, and mainteaned by the persons accused, and everie one of them."

THE MINISTERS CONSULT UPON EXECUTION.

Upon Moonday, the 10th, some ministers conveened in Mr Robert Bruce his galrie, and consulted upon two things: upon the substantiall prosecuting of the forefaultour, and holding out of court evill instruments, that might interceed with the king for the tratours, as the Ladie Huntlie, etc. Mr Andrew Melvill and Mr Patrik Galloway were ordeaned to speeke to the Chanceller, Mr James Balfour and Mr Johne Davidsone to the Proveist of Edinburgh. Others were appointed to speeke the Maister of Glames, Treasurer, and Sir Robert Melvill, Treasurer-Deput.

JOHNSTOUN ESCAPETH.

In tyme of the parliament, the Lairds of Johnstoun and Westerraw were secreitlie within five myles to Edinburgh, awaiting upon some courteours travelling for their peace. The Lord Hammilton desired a commissioun to apprehend Johnstoun. The commissioun was granted. But before it was subscribed, Johnstoun was forewarned by Carmichael, who sent his padge for haste upon one of the king's hors to give him wairning.

THE MINISTERS WILLED TO PRAISE GOD FOR THE KING'S PROCEEDINGS.

Upon Tuisday, the 18th of June, a letter was sent from the king, another from the commissioners of the kirk, to the Presbyterie of

Edinburgh, to will them to praise God for the king's good proceedings in the parliament; and to exhort all men to remove suspicioun of his Hienesse, conceaved for his former negligence, and to assist him in prosecuting that caus. Mr Davidsone said, "One dead, if it were but to execute Mr Walter Lindsay for his idolatrie, would doe more good than all his letters, and the commissioners both."

MR J. DAVIDSONE HIS FREE REBOOKE OF ALL ESTATS.

Upon Moonday, the 24th of June, in tyme of publict fast, Mr Michael Cranstoun preaching in the morning, on Isay lv., commended the king's proceedings in the parliament. Mr Davidsone taught after noone, in the Great Kirk, upon the xxii. of Ezechiel, about the evening. He inveyghed against the courses of corrupt ministers, that howbeit they preached not false doctrine, "yitt," said he, "the truthe was so unfaithfullie delivered, and so coldlie, that their flockes were consumed with hunger." He said, they were ambitious and covetous; and become so fyne in seeking stipends with dates and antidates, setting of tackes to their wives and others, in prejudice of the intrants, that they were more cunning in that art nor in Theologie, and had found out so manie termes and vocables of art, with other quirkes in these caces, that there might be a new canon law made therof; that where ministers were best provided, the adversareis prevailed most; that there was no difference made betuixt the cleane and uncleane, but all hand over head admitted to the Holie Sacrament; that they winked at the profaning of the Sabboth day; that they dawbbed with untempered morter, stealing the Word of the Lord from the people, and not faithfullie meeting with sinne in kirk and countrie. He excused the commissioners of the kirk, who had writtin to the presbyterie in commendatioun of the king's proceedings in parliament, as allowable, if they went not too farre afterward in that mater. "For," said he, "I take it to be the worke of God's mightie hand, hearing our prayers, and making the king to doe

that which is most of all in all men's judgements, against his will. If he performe the mater, it is weill. But I looke not for anie great good thing at his hand, till he repent him of his sinnes." He had made mentioun not a little before of the scaffold sett up for Mr Nicoll Dagleish, and the innocent blood shed under the colour of justice, in the 1585 yeare of God. "For," said he, "the suddane appearance of the conversioun of great men, long inbred with evill doing, is not to be straight credited, without notable signes of repentance; wherof we see none in him; for what wicked man guiltie of these evill practises is removed out of his companie?"

He related the treasonable dealing of King Charles the Nynth, howbeit he did more for the admirall and the good caus nor as yitt the king had done, and yitt minded nothing but murther and massacre. "This I speeke not," said he, "that I would have the king prophecied to be suche a one, (for I will not *ominari* suche things;) but I speeke it, to move us to beware with light crediting, before better prooffe, that the king may examine his heart, and repent him otherwise of his sinnes, than hitherto in that place (pointing to his seate) he hath done; rather vanting himself, than humblie craving mercie for his sinnes, on his knees, with teares, as he sould have done. Which if he doe not, he must goe from evill to worse, till he be destroyed, wherefra the Lord preserve his Majestie. This is spoken of duetie and love, for his amendiment, as yee see, we have not spaired ourselves. As for the nobilitie, their blood, their reafe, their oppressioun of their owne tennants, and others weaker than themselves, sacriledge, whooredome, blasphemie, witchecraft, and all kinde of vice, call for a judgement unlesse they repent. The commouns of all sorts follow to their powers the exemples of the great ones, in oppressioun, blood, filthinesse, contempt of the Word and ministrie, both in burgh and land. And as for Edinburgh, it wanteth not the owne remarkable rebells against God and the ministrie; the traffiquers with Spaine, the hinderers of the partitioun of the toun in parishes, unworthie to have a kirk to come to; and these that sett up the Moonday mercat upon the 23d of October, 1592, which will be registred in the

Chronicle to their shame. Now, for a particular man to stand in the gap, we see none, except it be some mourners."

Upon Saturday, the 29th, teaching upon Jeremie, he reckonned up the judgements that are threatned upon all estats alreadie. On the king, givin over to evill companie, and to love them so deerelie, "that, indeid," said he, "I feare he be not sound at the heart, which will appeare more cleerelie to all, ere it be long, as it appeareth alreadie to such as marke with foresight. The queene, though not evill disposed by nature, yitt like to be corrupted by companie; the prince young; and Scotland may be weill payed ere he can helpe them. The nobilitie ather young or corrupt, plagues both to themselves and to the land; the ancient and prudent men taikin away, so that among the twentie-two or twentie-three erles of Scotland, and threttie or threttie-foure lords, how manie could be named on the good side? The barons almost gone, so that now there was not one like old Gatgirth, who said to the Queene Regent, 'We vow to God, we sall have a day of it against these javells that stand beside you;' and with that went on the knapskalls. As for Edinburgh," he said, "I feare more the multitude and bodie of Edinburgh to be persecuters of me and my brethrein, and their readinesse to concurre to take our lives from us, than I feare the court, except they repented."

MR J. DAVIDSONE'S OBSERVATION OF GOD'S SPECIALL PROVIDENCE.

Upon Moonday, the first of Julie, Mr J. Davidsone being in the kirk, at the preaching, he seeth comming in at the west kirk doore, George Dawsone of Leith, skipper of the shippe called The Grace of God, wherin he faired, when he went out of Scotland that tyme nyneteene yeere, or a little before. That sight brought to his minde their safe deliverie from shipwracke, which they were like to suffer upon the costs of Flanders. Whill he was musing on this mater, another skipper of Leith, called George Peddie, came in at the other doore within his sight; a grave, fatherlie man, in whose shippe first (called the Angell) he embarked, and after a

night and daye's sailing, by contrarie wind was brought backe againe to Leith, and stayed fourteene dayes upon the other shippe, called The Grace of God, and gott greater support and provisioun for his voyage than he had before. He was muche moved, and greatlie conforted with this sight; and others also, to whom he discoursed upon this providence. No doubt, the Lord, by this sight, did animat his servant, that he sould not be affrayed for the speeches he had uttered so freelie the weeke before.

THE KING'S MESSAGE TO THE PRESBYTERIE OF EDINBURGH.

Upon Thursday, the 16th of Julie, Mr David Lindsay brought a message from the king to the Presbyterie of Edinburgh, to will them to assist for procuring of money to him, for maintenance of the ambassaders sent to the prince's baptisme. The king promised to passe in person immediatlie after the baptisme against the rebellious lords. It appeareth that this present need hath moved him to flatter the ministers, and promise faire.

A SPANISH SHIPPE LANDETH AT ABERDEEN.

Upon Tuisday, the 16th of Julie, there arrived a Spanish shippe at Aberdeen. The citicens of Aberdeene tooke three or foure men that were in it, and manned the shippe. They might have brought it to Leith, but they alledged the wind was contrarie. Angus, Erroll, and young Bonnyton, came to Aberdeene, with sevin or eight score spearemen; craved the men to be randered, threatning otherwise to burne the toun. Huntlie commeth with a greater force, and becaus they were not able to resist, they were forced to deliver them. The tenor of the minassing letter they sent to the toun heere followeth:—

"Proveist, Bailliffes, Counsell, and Communaltie of Aberdeen. Considering that against the law of natiouns, and without anie order of justice, yee, at the appetite of some of our enemeis, or indiscreit malice against us, have tane and imprissonned three strangers, gen-

tlemen who were come in the countrie (as we are informed) from other Christian princes, to sute most humblie of his Majestie, our maister, some ease of our distressed estats: Therefore, as we have travelled with you by all honest and faire meanes these dayes bypast, for their releefes, so now we certifie you by these presents, that without these gentlemen, with their whole equippage, be putt to libertie, randered, and delivered to us, we will not onlie esteeme of you as our enemeis in all tymes comming, but we will instantlie persue you, your toun, goods, and geir, both with fire and sword, and all other kinde of hostilitie consisting in our possibiliteis and powers; and it sall be a perpetuall querrell, to stand so long as our houses or posteriteis sall last. Thus, remitting the rest to your judgement and opinioun, without we be instantlie satisfied, we give these presents for a discharge of all assuriteis bypast, and bid you be at your advantage. Writtin the 19th of Julie, 1594.

"Yours, as yee desire ather presentlie peace or warre,

"ANGUS, HUNTLIE, ERROLL, AUCHINDOUN."

CONCURRENCE PROMISED TO THE KING AGAINST THE REBELLS.

The king being advertised, came from Stirline to Edinburgh. He promised to goe in persoun against the rebells, or to send a lieutenant with his power, if the churchmen would procure the leveing of six hundreth footmen, and four hundreth horsemen. The ministers of Edinburgh, with some others, meeting together, thought this but fraud and dryving of tyme, seing the wounted course of proclamatioun was sufficient, and the good subjects would be a surer guarde to him than anie waiged souldiours. Alwise some were appointed to consult how money might be had. Mrs Robert Bruce, Andrew Melvill, Patrik Galloway, David Lindsay, for the ministrie; the Chanceller, the Maister of Glames, the Pryour of Blantyre, Sir Robert Melvill, and the Laird of Colluthie, for the counsell. The proveist, bailliffes, and counsell, with deacons of crafts, and others, met in the afternoone in the Little Kirk. Mr Robert Bruce, Mr Andrew Melvill, and Mr Walter Balcalquall, went to them. They

were found verie willing to concurre, which they testified by holding up of their hands.

Upon Fryday, the 26th, the barons within the Presbyterie of Dalkeith, they were found all readie to concurre, and sindrie were offended that the road upon the rebells was delayed till the 26th of August. Upon the same Fryday afternoone, the toun of Edinburgh mett in quarters, their ministers being with them, making prayers and harangues to move them to concurrence. Some offered to furnish one man, some two, some three.

Upon the first of August, the king wrote this letter following to the ministers of Edinburgh, willing them to procure that the ambassaders' houses be weill furnished:—

"Right trustie and weilbeloved, we greet you heartilie weill. We have writtin to the proveist and bailliffes of the toun, to conveene your nighbours, to make choice among them of some of their speciall men, who sall vissie the ambassaders' houses, and doe their endeavoure, that there may no thing enlaike in the furnishing of their houses, which may be to the honour of us and of the countrie. Therefore we desire you effectuouslie to be present at their conveening, and to interpone your requeist in furthering of this mater, perswading them to make speciall choice of their men, or suche other men as are meetest for everie place, as will take paines therintill; and assuring them that we sall have in remembrance their service done at this tyme, and sall preasse to acquite the same accordinglie. There be sindrie of them who, we trow, would not refuse in particular. So, lippening that ye will not faile to take paines heerintill, as in manie moe things, as yee will doe us speciall pleasure, we committ you to God.

"At Stirline, the 1st day of August, 1594.

"James Rex."

THE BAPTISME OF PRINCE HENRIE.

Upon Wedinsday, the 23d of August, the toun of Edinburgh sent west to Stirline an hundreth of their youthes weill fitted in their armour, to remaine there as a guarde to the king during the

baptisme of the prince. Upon Fryday, the penult of August, the prince was baptized in the Chappell Royall at Stirline, honorablie prepared in this maner: All the ambassaders conveened. The king's Majestie satt on the north-east end. On the right hand was sett a chaire richlie decked, about the which was the King of France's armes. Nixt thereto was sett the English ambassader; above his head the armes of England. Nixt him satt Mr Robert Bowes, ambassader ordinar for the Queene of England. Nixt was the ambassader of the noble prince, Henricus Julius, Duke of Brunswicke. Nixt the ambassaders of the Low Countreis of Flanders, with the armes of their princes above them, all richelie sett, velvet mandells fynned with colours richelie decked. Upon the king's left hand were placed the two ambassaders of Denmarke, with a faire long rob of velvet before them, with their prince's armes above. Nixt them the ambassaders of the Duke of Meckleburgh, with siclyke royaltie, and his prince's armes above his head. The pulpit covered with cloth of gold, Mr Patrik Galloway placed therin, and before the pulpit was sett Mr David Cuninghame, Bishop of Aberdeen; upon his right hand, Mr David Lindsay, Person of Restalrig, and on his left, Johne Duncansone, Sub Deane of Stirline, Ministers, before whom was a table covered with yellow velvet. The harquebusiers of the younkeirs of Edinburgh, being an hundreth in number, placed in a row from the king and prince's chamber doores, through the which the king and his nobles came. The old Countesse of Marr first receaved the prince, delivered him to the Duke of Lennox, who randered him immediatlie to the English ambassader. The rob royall, borne before by the duke, putt about the prince, the crowne by the Lord Sinclare and Lord Urquhart, then removed fordward to the chappell: The paile borne above, foure square of crammasie velvet pasmented with gold, by the Laird of Bugcleuche, Constable of Dundie, Sir Robert Ker of Cesfurd, knight, and the Laird of Traquair. The whole ambassaders, (the English ambassader excepted,) with the whole estats, passed about the paile. Then followed the old Countesse of Marr, and other ladeis of honour, and Maistresse Nurce, the trumpets sounding

before the prince, with heralds. Nixt them, the Lord Sempill caried the lavyer with water, the Lord Setoun the basine, the Lord Livingstoun a towell, the Lord Hume a low crowne richelie sett with diamonds. These were presented upon the foresaid table before the ministers, and then past to their owne places. And then Mr Patrik Galloway treatted upon the 21st of Genesis breefelie. Therafter, the bishop stood up, and treatted upon the sacrament of Baptisme, first in our vulgar tongue, nixt in the Latine. Therafter, the musicians sung the 21st Psalme.

The Duke of Lennox receaved the prince, and therafter delivered him to the ambassader of England, named Friderick Henrie, and Henrie Friderick, and baptised as use is. Therafter, the king's Majestie, with the ambassaders, returned to their places. The said bishop ascended to the pulpit, where he made an oratioun to the prince and ambassaders. This done, the heralds cryed with a loud voice, "God save Friderick Henrie, Henrie Friderick, by the grace of God Prince of Scotland!" Then the king and foresaids returned in the same order to the prince's chamber. During their passing the artillerie shott. The duke receaving the prince from the ambassader, presented him to the king, where he was made knight, and tuiched with the spurre by the Erle of Marr. The king sett a crowne on his head. Then was proclamed by the heralds and Lyon King of Armes, "Friderick Henrie, Henrie Friderick, by the grace of God, Knight, and Baron of Renfrew, Lord of Isla, Erle of Carict, Duke of Rothsay, Prince, and Great Stewart of Scotland." Thir knights [were] made; Sir William Stuart of Howston, Robert Bruce of Clackmannan, Johne Boswald of Balmowto, James Schaw of Sawchie, Johne Murrey of Ethilstoun, William Menteith of Kerse, Alexander Fraser of Frazerburgh, George Livingstoun of Ogilfesse, James Forrester of Torwodheid, Andrew Balfour of Strathurd, Walter Dundas of Newlistoun, Johne Boswald of Glasmouth, George Elphinstoun of Blythiswod, William Livingstoun of Dernclester, David Meldrum of Newhall, and proclamed in the forefront of the castell.

This done, the king and queene, with the ambassaders, satt at

table in the Great Hall, at eight houres at even: the office men to the king, the Erle of Marr, Great Maister Houshold, the Lord Fleeming, Great Uscher, the Erle of Montrose, Carver, the Erle of Glencarne, Cupper, the Erle of Orkney, Sewer. To the queene, the Lord Setoun, Carver, the Lord Hume, Cupper, the Lord Sempill, Sewer. This table [was] so served, that everie one might see an other. On the king's right hand the queene, nixt the ambassader of Denmarke, and the ambassaders of Holland and Zeland, distant a good space one from another: on the left hand, the English ambassader, nixt, Mr Robert Bowes; the ambassaders of the Duke of Brunswicke and the Duke of Meckleburgh. Upon the east and west sides of the hall, all the noblemen of these countreis, ladeis of honour, and the rest of the nobles and barons, placed a gentlewoman betuixt two men. They being refreshed, a certane space, came in a blacke More drawing a chariot, wherin was the desert, presented by ladies Ceres, Facundia, Faith, Concord, Liberalitie, and Perseverance. The chariot returning, entered an artificiall and weill proportionned shippe, the lenth of her keell eighteene foote, and her breadth eight foote, from the bottom to the high flag foure foote; the sea made counterfooted. On her fore sterne was Neptunus, then Thetis and Triton; about the shippe, mariners and steirsmen. The mast was reid, her taikling and cords of silke, with threttie-five peece of brazen ordinance; all the sailes of double white taffetie. The pylot in cloth of gold moved the shippe, wherin were musicians, and Arion with his harpe; and in this maner she sailled, whill she came to the table, discharging her ordinance in the sterne by the way. Out of this shippe was losed and delivered a chrystall glasse, curiouslie painted with gold and azure, (as the meases of the chariot were;) all sorts of fishes made of sugar, as shell fishes, and others. This done, the shippe returned, and shott her ordinance. The bankett ended, thankes being givin to God, there was sung the 128th Psalme, with diverse voices and toones, and musicall instruments playing. The strangers mervelled greatlie at the shippe. This done, the king and queene, with the ambassaders, went to another hall, to the collatioun, a most rare,

sumptuous, and princelie desert, and sugars. Which ended, and taiking their leave, they sindered at three in the morning.

All the tyme of the remaining of thir ambassaders were delectable pastymes, muche dancing, masking, and running at the ring. The Abbot of Halyrudhous, in woman's apparell, tooke up the ring sindrie tymes. The Lord Hume, in Turkish rayment, the king himself, in his masking geir, with a white overthwart croce, the badge of the Knights of the Holie Spirit, which was muche mislyked by good men. It is to be noted in the preceeding discourse, that the ministers who raid out of Edinburgh to Stirline were enjoined by the Presbyterie of Edinburgh to withstand, so farre as in them lay, the ministratioun of the baptisme by Mr David Cuninghame, styled Bishop of Aberdeene, howbeit no bishop in office or in effect.

The bankett being ended, the queene came to Edinburgh, accompanied with sixtie or eightie horse. When she came by the long gate, benorth Edinburgh, there was shott sevin great shott of cannons from the castell. The king came from Stirline to the Palace of Halyrudhous upon the sixt of September, and then nyne great peeces were shott. The Danish ambassaders shott their voleis upon the tenth of September, in the morning, and pulled up sailes. Upon Moonday, the 16th of September, the Estats' ambassader departed out of Leith with his volie; the English ambassader by land, upon the 12th of September.

A PROCLAMATION FOR THE NORTHLAND ROAD.

Upon the 11th of September, proclamatioun was made at the Mercat Croce of Edinburgh, making mentioun that certane conjured tratours and unnaturall subjects had conveened themselves, some in the north, and some in the south; waiged souldiours with forrane money, to the overthrow of the religioun, the king's estat, and of the countrie. Therefore, erles, lords, barons, freeholders, and substantious gentlemen within the Sherifdome of Edinburgh, Constabularie of Hadintoun, Shirefdome of Berwick, Peebles, Lin-

lithquo, Stirline, etc., were commanded to addresse them in feare of warre, with threttie dayes victuall, to make their musters and weaponshowing in Edinburgh, the last of this instant; and to prepare themselves, the 1st of October, to passe with the king's Majestie to Dundie, under the paine of losse of life, lands, and goods. And in lyke maner, Fife, Angus, Mernes, Menteith, Dundie, Bamf, to make their weaponshowings in Dundie the 4th of October; and on the 5th to passe with his Hienesse to Aberdeene, with threttie dayes victuall.

BOTHWELL DRIVIN TO GREAT NECESSITIE.

About this tyme, Bothwell directed a letter to the ministers of Edinburgh, wherin he excused his meeting with Angus and Erroll with extreme necessitie; deplored that he was forsaikin of England and all others, almost destituted of food and rayment: promised never to declyne from religioun, and that he would prorogat the other day appointed for the conferring with the erles, till he saw what the ministers would doe for his releefe. But no word of his repentance. Upon Wedinsday, the 25th, was another bill cast in to the ministers, in the kirk-yaird, wherin Bothwell shewed that he was joyned with Huntlie, and that he was readie to doe anie thing for them at Huntlie's hands, if they pleased to imploy him. In the meane tyme, sindrie of Bothwell's followers were executed. William Allan in Leith, Admirall-depute, David Orne and Johnstoun were hanged at the Croce of Edinburgh; James Cochrane, Captan of Blacknesse, was hanged upon the secund of October after. Johne Bartan, goldsmith, was lett out of the jayle upon Moonday at night, the 1st of October, and hid himself. The bruit went that his wife sould be burnt for recepting of Bothwell. But the greefe and miscontentment of the people, at the severitie that was used against Bothwell's followers, so astonished the courteours, that farther crueltie was stayed for the present.

THE BATTELL OF GLENRINNEIS.

Commission was givin to Archibald Erle of Argile, a young man of eighteene yeeres or thereby, at the instant solicitatioun of the ministers, to invade Huntlie for the slaughter of the Erle of Murrey, and to disquiett him till the king himself came with his armie; for the Erle of Murrey was his kinsman. Forces were gathered on both sides, and the battell foughtin at Glenrinneis, above Murrey land, with uncertane victorie, but greatest losse to Huntlie, which made Huntlie and Erroll unable therafter to make anie resistance to the king's armie. The historie of this battell may be collected out of this letter following, sent from one to his familiar freind :—

"The most speciall caus wherefore I direct this missive to you at this tyme is, becaus I am sure yee are desirous of our northland newes, and speciallie of this last conflict, to lett you understand the veritie of the same, becaus I know the same, by ocular witnesses who were there. For we had beene all there, to witt, Mackeinzie, etc., if it had continued two dayes longer; for we marched fordward that same day of the conflict, but were too long in comming. But some of our men who were of our companie were within ten myles to them where they were.

"The maner is this : Argile, after he had circuited the Castell of Ryven of Bazenoch, would not seige the castell, becaus he had their promise to give it over whenever it pleased him, which was one of Huntlie's greatest strenths. Afterward he marched forward to Auchindoun, having in his companie Grant, Makgilzeane, * * * Macklaine, who undoubtedlie played the man, and Malcolmetoshe, to the number of five thowsand naiked Heeland men, to call them so. Huntlie, upon the other part, gathered with Erroll to the number of fourteene hundreth horsemen. The Erle of Argile, after he had come to Auchindoun, was in no wise minded to fight, untill the tyme my Lord Forbesse, who was all horsemen, according to his promise, had come. Siclyke Lord Lovat, Mackeinzie, Ballin-

gowan, Fowles, and Mackoneill, had come. And, indeid, the men of our side of the countrie, suche as Mackeinzie, Lovat, Fowles, and Ballingowan, had marched fordward. But their greatest stay was in the king's comming fordward, according to the proclamatioun. Alwise, Huntlie and Erroll knowing that there were moe comming to Argile, and seing he was but all Heeland men, they marche fordward to Auchindoun, and there was but the space of a myle betuixt both their campes. Alwise, had not beene the treasoun committed by Lochinyell, who is Argile's speciall and neerest kinsman, and some other tratours, all had beene theirs. In Argile's factioun, Macklaine, Grant, and Malcolmetoshe, had gottin the avant-guarde, and seing Huntlie draw neere, he made him for battell. Now, this Lochinyell desired the avant-guarde, but Argile would not, seing he was neerest to his hous. Now, this Lochinyell had made pactioun with Huntlie by writt, that where he saw a yellow standard, he sould persue there, for he would be there, and als soone as Huntlie persued, he sould fast flee away; and he as the most speciall fleeing, the rest sould flee, and so all sould be his owne. This was done by Lochinyell, becaus my lord had executed one of his brethrein, for slaughter of Caddell and others, and becaus, failing my lord and his brother, he succeeded. This Lochinyell desired Huntlie, moreover, if he had anie ordinance, to charge that part wherever he saw the yellow standard. Alwise, Argile would not suffer him to be in the avant-guarde, but in a wing of the stale oast, beside himself. Moreover, it is plainlie alledged that Malcolmetosh and Grant did *ut supra*, which appeareth weill *ut postea;* for Grant was Huntlie's owne, and Grant and Malcolmetosh have beene together heere this long tyme.

"First, Huntlie shott three cart peeces. The first did no harme; the secund slue a man standing before Macklaine; the thrid *non venit.* Now, after the three cart peeces were shott, one or two of Huntlie's horsemen came fordward in this tratorie, and charged Argile's avant-guarde, and in the charging Erroll was foremost, who persuing Grant in the avant-guarde, 'What,' sayeth he, not beleeving he had beene there, 'is not this he was on our counsell heere yester-

day?' Alwise, they past over Malcolmctoshe's companie and Grant's, and made them for the yellow standard, where was my Lord Argile and Lochinyell, and a great part of Argile's men flee; and in fleing, Lochinyell and his brother were slaine, as God would have tratorie punished. Now, Macklaine being betuixt Argile and Huntlie, in the wing of the stale oast, he and his men fell to, so that for a great space *nihil potuit videri* for reeke of hacquebutts and arrowes, by Macklaine and his men. And at that first onsett, there were manie of Argile's men slaine in the fleing, and of Macklaine's men in the avant-guarde manie slaine. But of Huntlie's companie, *nullus erat* of the charged first unslaine, never a man but ather hurt or slaine, and all were cheefe and speciall men. *Postquam*, the rest of Huntlie's companie cometh to, and all their horse were discomfited, and never a gentleman of reputation amongst them but was ather hurt or slaine. Argile was left him alone, onlie with foure men with him in the stale oast, in the meane tyme whill Macklaine was fighting. Argile *puer* gratt, and shoutted on his men, who fled like tratours, and after that Macklaine had foughten and done, he could not gett Argile brought away, untill the tyme he was brought by force. Macklaine hath played one of the most valient men that ever Heeland man played. For in the comming to of Huntlie's stale oast, after the first course was past, he having a jacke upon him, two habergiouns, with a murrioun, and a Danish axe, he perceaving Huntlie's standard, played so valientlie with the axe, that he slue foure or five, untill the tyme he came to Huntlie's standard, and sticked the horse wherupon the bearer raid, and nixt cutted himself in two at the waste, and brought the standard away. This the enemeis confesse. Also, the other confesseth, that if they had stand who fled from the Erle of Argile, *non vixerit unus*.

"The enemeis made their vaunt speciallie, *avitus meus*. After their home comming, my brother having speered the maner of the conflict, he answered, 'The devill be at Malcolmetosh and Grant, for they have both stand longer nor they promised!' Judge yee what tratourie this was, although some of them for honestie behoved to fight. But whatsomever was done, Macklain and his

men were the doers. There is never one of Malcolmetosh or Grant's kin [slaine,] but of Argile and Macklaine's sixtie-foure, as their bodeis were compted by sindrie therafter. But all these were but of their commouns, for, indeid, there is not a landed man slaine in this number, save three, Lochinyell, and two of Macklain's men. But on the other part, Huntlie is hurt in the heele, although they denie it. He was twise dishorsed. Erroll is shott in the arme and leg, Auchindoun is slaine, Eswanlie is slaine, Clunie is shott through the cheekes with a bullet, Mr William Gordoun, Commissar of Murrey, is slaine, three of Carborrowe's bairnes are deidlie hurt, Geicht is slaine, Lethersure is hurt, the Person of Bonar, a gentleman, is slaine, William Dowcat, a gentleman of Erroll's, is slaine, who was a brave man; a gentleman, Cheins, slaine, Mr George Barclay, a man of law of Aberdeene, and his eldest sonne, slaine. To be short, there was not a gentleman of Huntlie's, three or foure excepted, but were ather hurt or slaine. Huntlie gott never suche a wracke of his kin, although they gott the spoile of the campe of Argile, which will not be able to pay the hors which Huntlie lost. Argile is away to meete the king, who hath vowed, ather yitt to be putt off the feilds, or ellis to putt them off. But truelie, Sir, I assure you, if Argile will preasse to that thing againe, he will gett great assistance in this countrie, for he is weill liked of. Sir, becaus this is treasoun, at the least some of this, I suppresse my name and subscriptioun, for feare of interception."

This letter may be suppleed by another discourse which heere followeth, sett doun by another:—

"Huntlie and Erroll tooke their provisioun out of the place of Strabogie. The people therabout abstracted their cornes and cattell from these parts of the countrie, leaving their houses desolate, to the effect the enemie sould find nothing within the countrie. Argile understanding this, sent word desiring Huntlie and Erroll, in the king's name, to passe off the feilds, and to make the same patent to him, as lieutenant to the king, under the paine of trea-

soun, and that he might loodge in Strabogie. Huntlie answered, he would not passe off the feilds, and sould be porter himself, if he came. In the meane tyme, he and Erroll gathered their forces. They tooke God to witnesse, when they exhorted their people to concurrence, that they had good caus to fight against these barbarians, becaus the querrell was God's glorie, and the defence of their countrie and freinds; therefore they besought them, in the name of God, to behave themselves valientlie. Erroll, with Sir Patrik Gordoun of Auchindoun, and Captan Ker, to the number of 200 horse, was appointed for the avant-guarde; Huntlie, with other 200 hors, for the rere-guarde. All were assembled on a faire greene feild. Foure hundreth horsemen were appointed to stand behind them, with foure pieces of carted ordinance, in a secreit place out of sight, and an hundreth hacquebutters. At last, the parties drawing neere other within a shott, Huntlie's forces marched fordward with a sober pace, in respect the enemie was on the height of the hill rough and high, that convenientlie his horsemen might not winne the same. Yitt they preassed up the hill at a side, where, at the first brasche, the horsemen in Erroll's companie, to the number of fourtie, were slaine. The foure peece of ordinance shott at Argile's avant-guarde, and caused his whole companie to turne backe. Huntlie's horsemen followed about the hill, and tooke the plaine following, neere the part where Argile was. The Laird of Lochinyell and his brother were slaine. Macklain faught cruellie, but was compelled to flee, howbeit Argile's companeis had the vantage of the ground, sunne, and wind, and a great store of victualls and carriages, to the number of five hundreth hors. Yitt they fled with suche fearefulnesse, that they did cast their hacquebutts, targets, and plaides, from them. Argile's owne pavilioun was cutted, all his cariage takin. There were slaine of his companie 500 persons. He himself escaped narrowlie. Huntlie's owne hors hurt. Erroll hurt in the leg, Sir Patrik Gordoun of Auchindoun slaine, and sindrie hurt and slaine, to the number of 460, and their hors, as said is. All the harme Huntlie's companie gott was in the beginning. But were not God's permissioun and their foure carted

peeces, they had beene all lost. Becaus Captan Ker did so valientlie, they knighted him on the feild. This battell was foughten upon the thrid of October."

THE KING'S ROAD IN THE NORTH.

Upon Fryday, the fourth of October, the king tooke journey from Halyrudhous, and goeth slowlie fordward, for he went about by Stirline, with the horsemen. The footmen went over the water at Leith and the West Ferrie, to meete the king at St Johnstoun. The captans of the three bands of souldiours taikin up by the toun of Edinburgh, to witt, Captan Weddell, Captan Cranstoun, Captan Davidsone, tooke their oaths in presence of the proveist and bailiffes of Edinburgh, at their musters in the Gray Friers, before they went over, to be true to the kirk, to the king, and the toun of Edinburgh. The Erle of Morton was left lieutenant in the south parts till the king's returne, becaus Bothwell was in these parts leveing men. Beside the commoun forces gathered by proclamatioun, the king had waiged footmen and horsemen. The compositiouns of suche as were licenced to remaine at home, together with the contributiouns of the barons and burrowes, were bestowed to that use. Mr Andrew Melvill, Mr James Melvill, and sindrie other ministers, accompanied the king, at his owne desire, who willed them to beare witnesse of his paines and severe proceedings, becaus the people were jealous of him. Upon the seventh of October, the king came to Dundie, where Argile came to him with two of his servants, and reported what was past. About the 15th of October, the king with his whole armie came to Aberdeene. At their comming to Aberdeen, they found no resistance. The rebells keeped themselves so secreit, that no knowledge could be had where anie of them lurked. The king intendeth to goe fordward, and demolishe their principall houses; but extremitie of weather stayed him, till almost the first moneth was consumed. There was no pay to the waiged horsemen and footmen (wherin stood the forces that were reposed upon) for the nixt moneth. It was thought therefore

expedient by the king and counsell, to direct a man of credite to move the burghes and weill affected of all rankes, to send with diligence the secund moneth's pay. Mr James Melvill was chosin as the fittest man by the king, the counsell, and the ministers. He was commanded to assure the brethrein of the ministrie of Edinburgh, yea, to preache it, that seing the rebells were fugitive, their principall houses sould be demolished, to testifie the king's utter indignatioun against them. Mr James Melvill undertaketh the bussinesse, howbeit the countrie was brokin, and so the way dangerous, the weather unseasonable, and great expeditioun was required, in respect of the distance betweene Aberdeene and Edinburgh. For his directioun and credite, he had these letters following:—

"*To our trust Freinds, the Ministers of the Evangell at Edinburgh.*

"Trust freinds, we greet you heartilie weill. At the late conventioun of our estats assembled for preventing of the dangers practised of the Papists, and others our unnaturall subjects joyned, and conspiring the subversioun of religioun, the wracke of our person and estat, and perpetuall thraldome of our countrie to most mercilesse strangers, it was resolved that we sould with all celeritie haste in expeditioun toward the north, least, if tymous remeed were not provided, their expected strangers might arive. And for the better effectuating therof, it was thought requisite that we sould have our ordinarie force of horsemen and footmen, of the which our burrowes verie kindlie, and of good will, yeelded to a sowme for susteaning of a thowsand footmen the space of two moneths, as we ourselves provided by our owne privat moyen the first moneth to our horsemen. The weather being verie unseasonable, and suche spaits of waters, as with great difficultie, and not without perrell of a great part of our armie, could we atteane to this toun before the halfe of the first moneth was expyred; whereby, and by the retreate of our rebells covertlie to corners and hiddills, thinking to wearie us, and abiding the issue of the pay of our waiged men, as things heere are

like to draw to greater lenth than we expected: Yitt seing what our departure from this might import, and how manie dangers are imminent, we are fullie resolved to make our residence heere, and to depart no where ellis, till we have fullie settled this part of the countrie, and putt it to suche point, as little danger sall be feared, if we be aided by your kindlie helpe and promised releefe. We will therefore most effectuouslie desire you, that yee will be instant by all meanes to move, that our burgh of Edinburgh, and the rest of our burrowes, to have at us in this toun, before the 28th of this instant, the secund moneth's pay, with the rest of the first moneth's, wherof onlie that one halfe yitt is receaved, without the which we will be constrained to leave this good and necessar worke undone; whereby the adversareis will be so encouraged, as they will looke for no resistance, and have the countrie opin to strangers; which, before it sould fall out in our tyme, or anie blame might be imputed unto us, we had rather give crowne, life, and whatsoever God hath putt in our hands. Be not therefore cold nor slow in this mater, but imploy your whole meanes, and see the same effectuated. Which we doubt not but yee will doe, and interpone all your good travells and diligence to that effect. Farther we committ to this bearer, Mr James Melvill, whom we have expresslie chosin to this message, and we wishe you to credit as ourself. So we committ you to God's holie protectioun.

"From Aberdeen, the 16th of October, 1594."

(*Sic subscribitur*) "James R."

"*To our trust Freinds, the Proveist, Bailliffes, and Counsell of our Burgh of Edinburgh, and the rest of our Burrowes.*

"Trust freinds, we greet you heartilie weill. This bearer, Mr James Melvill, being one of the ministrie that hath accompanied us in this whole journey, and therethrough best acquainted with all our proceedings in the way, and since our heere comming: We have taikin occasioun ones carand to direct him towards you, to signifie unto you particularlie how we have beene occupied, and

what our intentioun is, before our returne; as also, have instructed him in suche things as he sall speciallie impart unto you, in our name, anent the furtherance of the caus in hands; whom we will desire you firmelie to credit as ourself. And so, remitting the mater to his sufficiencie, and the particular letter of the rest of the ministrie heere, we committ you to God.

"From Aberdeen, the 15th of October, 1594."

(*Sic subscribitur*) "JAMES R."

"*To our Right Worshipfull and deere Brethrein, the Ministers of Edinburgh.*

"'*Manie are the tribulations of the righteous, but the Lord delivereth them out of them all.*'

"Right Worshipfull and deere Brethrein,—Albeit the Lord in justice threatned this land with heavie judgements, for the contempt of his favour, yitt we find, that in the middes of wrathe he remembreth mercie, and overcometh when he is judged. For the king and his counsell, with his whole companie, daylie grow in earnest affectioun, to advance the good caus against the enemeis therof; and have resolutelie concluded, by the grace of God, not to remove out of thir parts before the utter overthrow of the adversare caus. Wherin, as we have just occasioun to praise God, so we earnestlie commend unto your prayer the good and happie succesce of this actioun: requeisting you likewise to imploy yourselves with our brother, Mr James Melvill, the bearer, at the hands of your owne toun, that a good caus be not forsaikin at the utmost point, and fall through laike of sufficient moyen to beare it furth, as we doubt not to find your effectuall assistance, according to your zeale. The rest to the bearer, whom yee will credit. The Lord preserve you, and direct all your proceedings to his glorie.

"From Aberdeene, the 16th of October, 1594.

"Your brethrein and fellow labourers in the Lord,

"A. MELVILL.

"MR P. GALLOWAY.

"JA. NICOLSONE."

When all was done, there was little sound meaning and small effect. For Mr James Melvill had not past two dayes in his journey, when moyen was made to the king to spaire the houses of the rebells, and to take onlie a view of them. When they were at Strabogie, and consulting what sould be done, the most part inclyning to spaire the hous, Mr Andrew Melvill boore out the mater so, by the assistance of the good Lord Lindsay, and the captans of horsemen and footmen, that at last the king taketh upon him, contrarie to the minde of the greater part, to conclude the demolishing and undermyning of the hous, and gave charge to the Maister of Worke to that effect. The like was done to the Slains, a hous belonging to the Erle of Erroll, and Newton, a hous belonging to one of the Gordouns. A great number of the barons and their confederats found cautioun not to hant or frequent with the saids lords, or recept anie of their associats, under great soumes of money.

The king returneth from Aberdeene about the nynth of November, and leaveth Lodowick, Duke of Lennox, as lieutenant, with Sir Robert Melvill of Mordecairnie, and Sir Johne Carmichael of that Ilk, an hundreth horsemen, and an hundreth footmen. The barons of the countrie were appointed to assist them, als weill in counsell as otherwise. The people of the countrie were appointed to attend quarterlie. The duke tooke up rigourouslie the penalteis of the commoun people that obeyed not the proclamatiouns, but componned easilie with the assisters of the rebells. He had avaritious and craftie counsellers left with him. He receaved young Geicht and Clunie, for he had power to receave to peace whom he pleased. He travelled with Huntlie and Erroll to depart out of the countrie, which they did, more to satisfie the king than for anie hard persute. The duke was Huntlie's brother-in-law, and therefore too favourable to be imployed in suche an actioun. He stayed in the North till the middest of Februar.

Upon the Lord's day, the 17th of December, the king cometh to the Great Kirk of Edinburgh. Mr William Watsone, in his ser-

moun, commended the king's proceedings. The like was done by the rest in severall kirks.

THE MINISTERS CONSULT UPON A MOTIOUN TO THE KING.

Upon the 25th of December, some brethrein of the ministrie meeting in the Little Kirk, agreed that a motioun sould be made to the king, for taiking some substantiall order for the overthrowing of the force of the enemie in tyme; and that meanes might be found for mainteaning the companeis in the North, till the other overture were found out. But it turned to no effect.

MR W. BALCALQUALL DELATED TO THE KING.

Upon Fryday, the 27th of December, Mr Walter Balcalquall being delated to the king, for charging him in his last sermoun with the imprissoning of Mr Nicoll Dagleish, answered, That he meant nothing of the king, but of the magistrats of Edinburgh, who had used him roughlier than they were commanded. The king was lightlie past over heere.

The chanceller being demanded of the king what he thought of Mr Johne Davidsone, that would not lett the Castelians (that is, these who keeped the castell in the last civill warres) alone, answered, "No mervell, so long as the castell is in his ey. If the castell were out of his ey, ather would he leave to speeke of it, or ellis to be angrie if he spake." His meaning was, That if he were removed out of Edinburgh, and from the sight of the castell, he would not make mentioun of them so oftin in his sermouns. He was forced to remove indeid out of the sight of the castell, howbeit not farre from it, as we sall see in the owne place.

M.D.XCV.

MR R. ROLLOCK FINDETH FAULT WITH THE KING.

Notwithstanding of the king's road to the North, all this while bygane, there was great dearth and povertie in the countrie, muche blood shed, and manie horrible murthers committed: the sonne slaying the father, the one brother the other, and brether sonnes killing eache other, theeves spoiling and oppressing, and men daylie ravishing weomen; but no executioun of justice, ather by the king or by the inferiour magistrats. Yea, it was an easie thing to obteane a remissioun from the king for blood. Therefore, Mr Robert Rollocke, howbeit otherwise a mylde and meeke man, teaching on the Lord's day, the fyft of Januar, upon the letting loose of Barrabas and condemning Christ, prayed God to give the king a remissioun for all the remissiouns he had givin to murtherers.

MURE EXECUTED.

Upon Moonday, the 13th, George Mure, the cheefe murtherer of the minister at Kirkcudbright, was hanged in Edinburgh. He confessed whoordome, murther, false coine.

There was a new conspiracie devised by the traterous lords, Huntlie, Erroll, Angus, Cathnesse, and Bothwell. They subscribed a dangerous band, wherunto Balwerie was privie. Balwerie was wairded in the Castell of Edinburgh, and upon the 23d of Januar, brought furth of the castell to the Tolbuith, where he was keeped all the night. He delivered a copie of the foresaid band, and confessed, as was reported, that the king sould have beene taikin, committed to perpetuall prisoun, the prince crowned king, Huntlie, Erroll, and Angus, chosin regents. He was suffered, notwithstanding, to keepe his owne chamber upon the 29th of Januarie, and was fynned in twentie thowsand punds, which the hungrie courteours gaiped for, but gott not.

THE HEEDS OF THE BAND TO BE MADE BETUIXT THE ERLES OF ANGUS, HUNTLIE, ERROLL, BOTHWELL, AND CATHNESSE.

"That they sall take no dresse nor compositioun of their estats by commoun consent.

"That all things sall be done and ordered by commoun advice and consent.

"That they sall take an effald part, eache one with other, in all causes.

"That the Erles of Angus, Huntlie, and Erroll, and the Laird of Auchindoun, with all excommunicated Catholicks, sall not be troubled, civillie nor criminallie, for their conscience and religioun.

"That assurance sall stand and be inviolablie keeped betuixt the Erles of Huntlie and Bothwell, the Lord Uchiltrie, * * * till the young Erle of Murrey be seventeene yeeres of age.

"If anie particular querrell sall chance betuixt anie of the subscribers, or among their freinds, the contendent sall be subject to the decisioun of the rest, or anie two most neutrall, chosin by common advice.

"That none sould be receaved in court nor burgh but suche as sall be allowed by the whole.

"That none sall tak on preferment, or accept anie office, by the commoun advice of the rest subscribers.

"That the Erle of Huntlie make offers for the Erle of Murrey's slaughter, by the advice of Angus, Erroll, Balwerie, and Spot, and the Erle of Cathnesse sall be sufficient.

"And incace the bairne, at his perfyte age, sall refuse the same, the Erle of Bothwell and Lord Uchiltrie sall refuse to take his part, or persue that slaughter."

(*Sic subscribitur*)

"Angus. Huntlie. Erroll. Bothwell.

"Cathnesse. Patrik Gordoun of Auchindoun.

"*James Scot*, witnesse."

Whether it was this band which was made before the battell at Glenrinneis, as appeareth by Auchindoun, a subscriber, who was slaine at that battell, or another made since that tyme, I am not certane. Yitt it appeareth, by the words uttered by Mr Walter Balcalquall, in his sermoun the last of Januar, that the band above writtin is the band which Balwerie delivered at this tyme; for he rehearsed the same verie heeds, in effect, which are conteaned in the said band. The king promised to pardon Huntlie, and to take upon him the slaughter of Dinnybrissill, if he would deliver Bothwell. But Huntlie refused to betray him, howbeit he had made no scruple to betray his native countrie.

A CONFLICT BETUIXT THE MASTER OF GRAHAME AND SIR JAMES SANDELANDS.

Upon the last of Januar, there was a great combat betuixt the Maister of Grahame and Sir James Sandelands, upon the High Street of Edinburgh, the king being in the Tolbuith. Some were slaine on both sides. Sir James Sandelands, himself hurt with two shotts, had beene killed, if George Lokhart of Air had not stood above him and defended, till the toun of Edinburgh sindered them. Mr Johne Spotswod, now Bishop of St Andrewes, played the part manfullie that day in defence of Sir James.

ARGILE WAIRDED.

Immediatlie after this conflict, there was a proclamatioun made by sound of trumpet at the Croce of Edinburgh, declairing, that if anie man had anie complaint to give in upon the Erle of Argile, who now was wairded in the Castell of Edinburgh, sould be heard. This was the rewaird he gott for his good service in the North. He was wairded for oppressioun alledged to be committed by his folkes. The king and the court would have had from him manie thowsands presentlie, and suretie for tyme to come.

THE OFFERS MADE IN ARGILE'S NAME TO THE KING AND COUNSELL.

"*Imprimis*, He offereth, that he sall find cautioun for his men, tenants, and servants, that he sall be answerable for them in tyme to come, according to the generall band, act of parliament, and lawes of the countrie.

"*Item*, For tymes byganc, he has satisfied the most part of the men who have gottin skaith, and desireth to be sett at libertie, that he may satisfie others who have actioun against him, or who have beene troubled by anie of his; promising to performe the same within fourtie dayes after his releefe, or otherwise, to enter in waird againe, under the paine of fourtie thowsand pund. For so long as he is deteaned in waird, he can nather gett anie of the parteis, nor a redresse of the brokin men. Providing alwayes, that his cautioners be not acted, for the heirship done to the Gordouns.

"*Item*, More, that there is nothing that lyeth in his power, that his Majestie will burthein him with but he will doe it, and sall give his Majestie a prooffe therof.

"*Item*, If his Majestie will not be satisfied with these offers, to desire that his Majestie will lett him have free waird within a myle to the castell, seing the rest of the noblemen that were wairded had the like."

PATRIK MILLAR HANGED.

Upon Fryday, the 14th of Februar, Patrik Millar, who had beene in other countreis, and had returned, was hanged in Edinburgh, for letting the Erle of Angus out of the castell.

THE DUKE RETURNETH.

Upon the Lord's day, the 16th, the duke returned from the North to Edinburgh. He purged himself before the counsell upon Moonday, the 17th, of the slanders raised upon him for his proceed-

ings in the North, and desired to know who would accuse him; and yitt Huntlie was foure nights with the duke in Aberdeene, before his returning, and was found dancing with two gentlewomen till midnight. The livings of Huntlie and Erroll were givin by way of factorie to the duke. He againe made their wives intrometters therewith. So their livings were taikin up to their owne use. His chamberlans intrometted with the Erle of Angus' living to his owne proper use. Hume, Cesforde, and Balcleuche, parted the Lord Bothwell's living among them. Hume gott the Abbacie of Coldinghame, Cesfurde the Abbacie of Kelso, Balcleuche the Lordship of Crichton and Liddisdaill.

Upon Tuisday, the 11th of Februar, the Justice-Clerk and Alexander Hume of North Berwick, Proveist of Edinburgh, urged the presbyterie with the excommunicatioun of Bothwell, and exhibited to them the act of counsell tuiching the approbatioun of Balwerie's confessioun. They tooke to advisement till the morne. Upon the morne, after muche bussinesse, the mater was delayed till the nixt Tuisday, that they might have a fuller meeting, and that the rest of the Presbyteries of Lothiane be sent for by the king to that effect. The king was enduced by Bothwell's enemeis, before his forfaltour, to deale with the ministers, that immediatelie after the forfaltour he might be excommunicated. Wherupon he meaned his estat to them, by a letter affixed upon the entrie to their houses, in the backe of the kirk. Yitt did he band himself with the rebells after the forfaltour. The copie of the letter, omitted before, I have thought good to insert heere, as in a proper place.

"Right loving brethrein,—I have to this houre, with no small danger, attended your answere: but finding none, I impute your silence to the iniquitie of the tyme, etc. For this caus, I had deliberated no more to importune you, were not that I was of new informed, that my enemeis had enduced his Majestie to deale with you, to the effect yee might immediatlie, after my forefaltour, proceed in excommunicatioun against me, etc. Obstinat sall I not be found; becaus I would, with all humilitie, receave your correctioun

for whatsomever offence I have committed, if sure accesse and recesse were permitted.

"The state of my pitifull cace is not farre different from the state of the noblemen latelie banished. Two landed men accused them of conspiracie against his Majestie, as Richie Grahame accused me. Two barons were most unjustlie putt to death, as partakers of the cryme, etc. And with this, if I can not prove sorcerie, at the least consultatioun with sorcerers and with witches, for obteaning and mainteaning his Majestie's favours on the part of my adversaries, then all sall be esteemed true that sall be objected against me, etc. My uncle, the Erle of Murrey, Mr Knox, etc., if they were alive, sould be excommunicated by this reasoun, seing his Grace thinketh no otherwise of them than of the most treasonable tratours that ever this natioun bred, etc. And no doubt, if they had survived to this houre, their portioun had beene no better (so farre as Matlan's credit might extend) nor that of the Erles of Gowrie, Morton, and the late Erle of Murrey. I beseeke you, deere brethrein, weygh this mater advisedlie, etc. But these men seeke the murther of my soule, in so farre as they would have me excommunicated.

"Your loving brother in Christ,

"BOTHWELL."

HERCULES STUART HANGED.

In the meane tyme, that the king urgeth the Presbyterie of Edinburgh to excommunicat Bothwell, Hercules Stuart, his base brother, William Sym, his servant, and one called Trotter, were taikin by meanes of William Hume, but not without the treacherie of Mr Johne Colvill, a deserter of his ministrie, and after an apostat from religioun. He proposed to Hercules safetie of his life, which was not keeped, and therefore turned to his great disgrace and discredit. And so muche the rather was he suspected, becaus it was thought he had furnished dittay against some latelie executed.

Hercules, and his servant, William Sym, were executed upon Tuisday, the 18th, at the Mercat Croce of Edinburgh, about foure afternoone. He was rather a follower of Bothwell than anie great interpriser.

BOTHWELL EXCOMMUNICATED.

Upon the same day, the 18th of Februar, after some reasoning among the ministers conveened at Edinburgh, whether they made up an ordinarie or extraordinarie assemblie, it was agreed that Bothwell sould be presentlie excommunicated, as by the Presbyterie of Edinburgh, at the king's command, and not by that full meeting. So the sentence of excommunicatioun was pronounced by William Aird. Requeist was made by Sir George Dowglas, to receave Balwerie to repentance. Mr Peter Young and Sir James Melvill of Halhill propouned by the king's directioun a questioun tuiching the excommunicating of these that were forefaulted for treasoun. The answere was delayed till after noone, but not treatted upon then, becaus manie of the brethrein were at the executioun of Hercules Stuart.

Upon Wednisday, the 19th, they meet, and thinke good to referre the answere to the Generall Assemblie. But as for satisfactioun to the king, if he had anie particular to propone, it sould be considered and answered. Mr Johne Davidsone being demanded concerning Balwerie, who had purchassed a remissioun, answered, "We sould say with the prophet that came to Ahab, 'Becaus thou hast lett goe out of thy hand whom I appointed to dee, thy life for his life, etc.'" Mr Patrik Galloway said, "That is not to be told to the king." Alwise, Balwerie's mater was putt over to the Generall Assemblie, and to the Presbyterie of Fife, to try him in the meane tyme. The king was earnest to have had the Laird of Spott excommunicated; but obteaned it not at this tyme.

THE QUEEN'S INTERPRISE.

There ariseth a variance at court. The queene would have had

the prince in keeping in the Castell of Edinburgh, and Balcleuche to be Captan. But the Erle of Marr would not suffer her to come neere the prince but with a small number. The king liked not the motioun, and therefore was not discontent with the Erle of Marr's refusall. It was thought that this motioun proceeded from the chanceller, who was now a great courteour with the queene.

A JEWELL SENT FROM THE POPE TO THE KING.

Upon the 24th of Marche, a Jesuit, the Laird of Camboe's brother in Fife, was apprehended at Leith. Letters were found upon him directed to the king from the Pope, which he rave, but yitt they might be read. The king mett with him a little after in the Tolbuith, apart, in secreit. He brought with him a jewell, with a crucifixe enclosed in a glasse, and presenting it to the king, said, It was a jewell for a prince. The king answered, he was a prince, and would take it. When the ministers inquired the king concerning the Jesuit, he blushed, and granted he came from the Pope.

SPOTT EXCOMMUNICATED.

Upon Tuisday, the 15th, a letter was directed from the king, charging the ministers of Edinburgh to be in Stirline the penult of Aprile, where he would be present himself, and see Spott's mater handled; alledging they had drifted it long, he could not tell how.

A number of ministers mett. The Laird of Spott, the Laird of Geicht, and Colonell Boyd, were excommunicated. The greatest difficultie stood in excommunicating the Laird of Spott. Mr Andrew Melvill, and all the ministers of the Presbyterie of Edinburgh, except Mr David Lindsey, minister at Leith, voted to the contrare. The king said, they were like Anabaptists: when they wanted reasoun, they pretended conscience. Upon Tuisday, the 6th of May, the king sent Mr William Hart to the Presbyterie of Edinburgh, to crave intimatioun of the excommunicatioun; which

was yeelded unto by the greatest part, Mr Walter Balcalquall, William Aird, and Johne Davidsone, disassenting.

This sommer, there was great slaughter committed betweene the Johnstouns and the Maxwells in the South, and by Argile killing and burning in the North. The ministers, greeved at these and manie other enormiteis, spaired not to affirme plainlie there was no king in Israell.

THE * GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Montrose, the 24th of June. After exhortatioun made by Mr Andrew Melvill, Proveist of the New Colledge, and Moderator of the last Assemblie, Mrs Robert Pont, Peter Blekburne, James Nicolsone, were removed, and the said Mr James chosin Moderator.

The king's commissioners presented, in the eight sessioun, some articles directed from his Majestie; the tenour wherof, and answeres therunto, follow:—

THE TENOR OF THE KING'S ARTICLES.

"His Majestie craveth that there be an act made, ordeaning that whosoever sall at anie tyme practise anie treasonable interprise or conspiracie against his Majestie's person or estat, being found and declared culpable therof by the law, sall likewise incurre the sentence of excommunicatioun therefore; that thereby an inseparable unioun may be betuixt the two swords.

"That an order be taikin concerning excommunicatioun, speciallie in three points: First, That it be not at the appetite of two or three particulars; and that it be not proceeded in, whill first a convenient number of the kirk be gravelie assembled. Secundlie, That it be not for civill causes, or small crymes, and speciallie, anie minister's particulars, least it be thought they imitat the Pope's cursings, and so incurre the like contempt. Thridlie, The forme of summar excommunicatioun, without anie citatioun, be allutterlie abolished in tymes comming.

"*Item*, In respect Mr Johne Craig is awaiting what houre it sall please God to call him, and is altogether unable to serve anie longer, and his Majestie mindeth to place Johne Duncansone with the prince, and so hath no ministers but Mr Patrik Galloway, therefore his Hienesse desires an ordinance to be made, granting him anie two ministers he sall choose."

HUMBLE ANSWERES OF THE GENERALL ASSEMBLIE CONVEENED AT MONTROSE, TO THE ARTICLES PRESENTED BY HIS HIENESSE' COMMISSIONERS.

"First, Where an ordinance is craved to be made against practisers of anie treasonable interprise or conspiracie against his Hienesse' persoun or estat, being found and declared culpable therof by law, that they therefore sall incurre the sentence of excommunicatioun, the Generall Assemblie agreeth therunto, *legitima cognitione ecclesiastica præeunte.*

"As to the order craved to be tane concerning excommunicatioun, speciallie in three points, conteaned in the secund article, the first part therof is condescended unto. And as to the secund, that no excommunication sall be used in causes mere civill, or in small maters, the abolishing in tyme comming of summar excommunicatioun, without citatioun; that point importing a great weight, and craving mature deliberatioun, the Assemblie hath thought meete to superseed all concluding therin, whill the nixt conventioun, where, by God's grace, they minde to resolve therupon; and that none of the ministrie proceed in the meane tyme to excommunicatioun, without a citatioun preceeding, *nisi periclitetur ecclesia et respublica.*"

Tuiching his Majestie's sute concerning his ministers, it is agreed that his Majestie sall have choice of the most grave, learned, and godlie brethrein of the ministrie, with the advice of the commissioners following, to be directed to his Grace: viz., Mrs Robert Bruce, Andrew Melvill, James Melvill, David Lindsey, David Fergusone, James Balfour, Thomas Buchanan, James Nicolsone, An-

drew Lambe, George Gladestanes, or anie six of the said brethrein, who are appointed to meete the 22d day of Julie nixt.

ACTS AGAINST PAPISTS AND NON-COMMUNICANTS.

In the thrid sessioun, the presbytereis in all the parts of the countrie were ordeanned to proceed to the sentence of excommunicatioun against Papists within their bounds. Becaus sindrie Papists suspected of Papistrie, after their oaths and subscriptiouns absteaned from the Table of the Lord, pretending deidlie feed, the presbytereis were ordeanned to proceed against them with the sentence of excommunicatioun, so long as they refuse to communicat, as if they had not subscribed, nor taikin their oath.

In the fourth sessioun it was ordeaned, that the professours of the truthe absteaning from the communioun by reasoun of deidlie feeds, be charged by the presbytereis to participat of the said Holie Table; and incace they remaining obstinat refuse, that they be proceeded against by the censures of the kirk; it being alwise considered, that if there be anie that refuse of infirmitie or tendernesse of conscience, that the presbyterie travell with them, to bring them to the participatioun of the said Table: granting, with good advice and discretioun, some reasonable tyme, as to resolve with themselves; within the which, if they give not obedience, that the presbyterie proceed against them to the sentence of excommunicatioun.

In the eight sessioun, Sir James Chisholme compeared in presence of the whole brethrein, confessed with humilitie his apostasie from religioun, for which he craved God's mercie; declared he professed with us the true religioun, renounced the Antichrist and all his errours, and craved from his heart to be receaved unto the bosome of the kirk. The Assemblie concluded he sould be relaxed, and therafter the forme of his satisfactioun to be sett doun. So, in the nynth sessioun, he was relaxed from the processe of excommunicatioun led against him, he humbling himself upon his knees, and acknowledging his offence.

ACTS.

In the thrid sessioun it was ordeaned, that seing sindrie persouns cutt off from the societie of the kirk by the sentence of excommunicatioun, were recept and interteaned, that the presbytereis proceed against the recepters according to the acts of the kirk, under the paine of publict rebooke in face of the whole Assemblie, and making of humble confessioun upon their knees, and under the paine of depositioun of the minister through whose default the said ordinance is not executed; and that the same penaltie and executioun be used and strike upon them that have intercommouning, intelligence, or familiaritie, with the said excommunicats.

In the nynth sessioun, the act made in favours of the executers of ministers was cleered and explaned, that if the minister dee after Michaelmesse, *quia fruges seperata sunt a solo*, that his executers sall have that yeere's rent, and the halfe of the nixt.

It was ordeaned, that presbytereis take order for visitatioun and reformatioun of grammar schooles in touns within their bounds, and deale with the magistrats for augmentatioun of their stipends, and provisioun of maisters; and to appoint some of their counsell to attend carefullie on their schooles, and to assist the maisters in discipline.

In the secund sessioun it was declared *affirmativè*, that it was proper to the kirk to declare by the Word of God what mariages were lawfull, what unlawfull, so farre as concerned the spirituall part.

In the nynth sessioun it was declared, that these two sorts of mariages be unlawfull, viz., When a person marieth another whom he hath polluted by adulterie; and when the innocent person is content to remaine with the nocent and guiltie, and the guiltie taketh another. As concerning mariages made by excommunicated preests, or others that have served in the kirk, and are deposed from their office, or by privat persons, the Assemblie declareth suche mariages to be null, and ordeaneth the brethrein of Edin-

burgh to travell with the commissars of Edinburgh, that they may decide according to these conclusions.

It was ordeaned in the nynth sessioun, that the acts of the Assemblie be sighted, and speciallie acts serving for practise be extracted, and joynned with the Booke of Discipline, to be published ather in writt or in print, that none pretend ignorance; and that Mrs Robert Pont, Thomas Buchanan, James Melvill, Johne Johnstoun, and James Carmichael, concurre with the clerk to that effect.

A COMMISSION FOR VISITATION OF COLLEDGES.

Commissioun givin to Mrs James Melvill, Thomas Buchanan, James Balfour, Robert Rollock, Walter Balcalquall, Nicoll Dagleish, James Nicolsone, and Alexander Forbesse, to conveene the first day of Januar nixtocum, to the visitatioun of colledges; to try and consider of the doctrine, life, and diligence of the maisters, the discipline and order used by them, the estat of their rents and living; and where they find abuse, to reforme, so farre as they may; suche things as they cannot take order with being remitted to the Assemblie, and to report what they effectuat.

COMMISSION CONCERNING DILAPIDATIOUN OF BENEFICES.

Tuiching planting of kirks, becaus a speciall impediment hath beene therof, the dilapidatioun of the benefices possessed by the brethrein of the ministrie who have sett their benefices with diminutioun of the rentall, or by conversioun of the victuall in silver, not regarding the acts and ordinances of the Assemblie. Heerefore, for remeed, the Generall Assemblie hath givin power and commissioun unto the brethrein underwrittin, within the bounds particularlie underdivided, to call before them suche persons within the ministrie, that since the act of the Assemblie made in the yeere of God 1578, have sett their benefices with diminutioun of the rentall therof, or conversioun of the victuall in silver; and to proceed against them with the sentence of depositioun, which sall

stand in force, ay and whill they restore their benefices to the owne integritie wherin the samine was at their entrie therto. That is to say, to Mrs Andrew Melvill, James Melvill, Robert Wilkie, Thomas Buchanan, Andrew Muncreif, to call before them the saids persons within the bounds following, viz., from Spey to Tay, and all Lothiane, Merce, and Tiviotdaill, to compeere before them in St Andrewes. Nixt, Mrs David Lindsay, Robert Bruce, David Fergusone, Robert Pont, James Balfour, or anie three of them, to sitt in Edinburgh, and call before them the saids dilapidators within the bounds of the whole north to Spey and Fife, as als beneficed persons that have made dilapidatioun within the diocie of Rosse. Thridlie, Mrs Patrik Simsone, Andrew Young, Harie Livingstoun, James Pont, Johne Davidsone, to sitt in Stirline, and call before them the saids brethrein that have dilapidated their benefices within the bounds of Stirlineshire, Stratherne, Cliddisdaill, Dumbartan, Renfrew, Lennox, Kyle, Carict, Cunninghame, Galloway, Nithisdaill.

And for the better executioun to be had of this commissioun, ordeans everie presbyterie, within the bounds foresaids, to send to the judges, everie one of them within their owne bounds, particular informatioun and answere to the heeds which sall be penned by their brother, Mr Robert Pont, betuixt and the fyfteenth day of August nixt. And to the effect that the presbytereis be not ignorant heerof, the Assemblie presentlie hath nominated the brethrein after specified, to give wairning to the presbytereis within the bounds respective following, according to the divisioun after specified: That is to say, Mr Alexander Crambie for Rosse; Mr Alexander Rawsone, Mr Alexander Dowglas, for Murrey; Mr Peter Blekburne, Mr Duncan Davidsone, James Reid, for Aberdeene; Mr Andrew Mylne, Mr Alexander Forbesse, for Mernes; Johne Durie, Mr James Melvill, for Angus; Mrs Alexander Lindsay and William Glasse for Stratherne; Mr James Melvill, David Fergusone, for Fife; Mr Walter Hay, Mr Andrew Blakhall, for Lothiane; James Dais for Merce and Tiviotdaill; for Tweeddaill, Mr Andrew Blakhall and Mr Walter Hay; for Stirlineshire, Mr Adam Bannatyne;

for Cliddisdaill, Renfrew, Lennox, Dumbartane, Mr Walter Stuart and Mr Gawin Hammiltoun; for Nithisdaill, Mr James Brysone, Mr Hugh Foullertoun; for Galloway, Mr Johne Aikman; for Kyle, Carict, and Cunninghame, Mr David Barclay. Which informatiouns being receaved by the saids judges, ordeans them with all diligence to proceed against the said persons. And for the faithfull executioun of the said commissioun, the saids judges were sworne, except Mrs Thomas Buchanan, Robert Bruce, Patrik Simsone, Harie Livingstoun, James Pont, who were not present.

THE HEEDS OF INQUISITIOUN TO BE MADE IN EVERIE PRESBYTERIE CONCERNING DILAPIDATIOUN OF BENEFICES.

Sessioun 8.

1. *Imprimis*, To take up from everie beneficed minister the present rentall of his benefice, and what yeerelie duetie, by his owne confessioun, he giveth presentlie for the same.

2. If he has sett tacks therof, and whom to, privatlie or publictlie; and if need be, to take his oath therupon.

3. To enquire what was the estat of his benefice when he entered in the same, or whether he was hurt or vitiated by his predecessor?

4. To take diligent inquisitioun, not onlie by report of the beneficed person himself, but by others that know the just valour therof, what the benefice was worth, or payed of old, at the best estat.

5. What the samine would extend to, in yeerlie duetie of tithes or otherwise, if it were free of tacks, and in a minister's owne hand; and if need beis, that the presbyterie or commissioner call an Inqueist of men of best knowledge in the countrie about, to declare the veritie heerin, and send the same to the judges appointed, in due tyme, with the whole circumstances before rehearsed.

Forasmuche as there is an abusse necessarie to be remedied, speciallie in Cathnesse, and some other parts where they that possesse the benefice (as the late Bishop of Cathnesse did in spe-

ciall) dilapidat the whole rents therof, except a verie small quantitie, in pensiouns most prodigallie to all that sought the same, whereby he has dilapidated the whole patrimonie of the said bishoprick; for remeed wherof, the Assemblie ordeans Mr David Lindsay and Mr James Balfour to admonishe Mr Thomas Craig, and the solister of the kirk to persue the said pensioners, for reductioun of their pensiouns, which cannot stand by the law, of the whole or of the most part of the fruicts of anie benefice, and to insist diligentlie therin.

A COMMISSION FOR THE CONSTANT PLATT.

Forasmuche as a great occasioun of the non-planting of kirks standeth in inlaike of provisioun of the ministrie, and that their stipends from yeere to yeere being changeable, they are drawin from their kirks, to the neglecting of their flockes, and to the disgracing of their callings: With commoun advice it is heerefore concluded and resolved, that a constant platt sall be sett doun by the brethrein following, appointed out of everie province, who sall sitt and conveene the first day of September nixt within Edinburgh; and before their conventioun and sitting, everie presbyterie sall, betuixt and the fyfteene day of August nixtocum, deliver to the said brethrein appointed of their provinces a resolute informatioun, writtin in forme of a booke, *in mundo*, of the estat of their kirks in the heeds following: viz., of the names of the benefices within their bounds; whether the same be severall benefices or annexed; Who is patron therof; Who possessour; By what right the samine is bruiked; The old rent, the present rent, and the just availl therof, and what kirks may be united or divided. Which informatiouns being receaved and collected together, the saids commissioners conveening, as said is, sall appoint everie presbyterie severall dayes, to direct a speciall brother fullie instructed by them, with a constant platt of the kirks within their presbytereis; and the said brethrein so directed, with the commissioners foresaids, to conclude and putt in forme a constant platt of their presbyterie; and so furth to proceed, whill the worke be whollie made up and compleit. And after

compleiting therof, the saids commissioners sall make wairning to everie presbyterie, to direct a brother from them, to consider the whole worke. And the samine being allowed by the saids commissioners and brethrein from everie presbyterie, which are considered to be fiftie in number, the ratificatioun therof to be sought of his Majestie and counsell.

Of the which commissioners, chosin out by this Assemblie from the provinces, the names follow: viz., For Zetland, Orkney, Cathnesse, and Sutherland, Mr Robert Pont. For Rosse, Mr Andrew Crumbie. For Murrey, Mr Alexander Dowglas. For Aberdeen, Mr David Cunninghame, Mr Peter Blekburne. For Mernes and Angus, Mr James Nicolsone, Mr Andrew Mylne. For Stratherne, Dunkelden, Dumblane, and Stirlineshire, Mr Patrik Galloway, Mr Alexander Lindsay. For Fife, Mr Thomas Buchanan. For Lothiane and Tweeddaill, Mr David Lindsay. For the Merce, Johne Clapperton. For Teviotdaill, Mr Johne Knox. And for Cliddisdaill, Renfrew, Lennox, and Dumbartane, Mr Gawin Hammiltoun, Mr Johne Howesone. For Nithisdaill, Mr James Brysone, and incace of his sickenesse, Mr Hugh Foullertoun. For Galloway, Mr Johne Aikman. For Kyle, Carict, and Cunninghame, Johne Mackquerne. Which brethrein and commissioners, in number eighteene, sall als have power to make a platt for an Interim; which being concluded by the saids commissioners, and a brother directed from everie presbyterie, which will make fiftie more, no reclamatioun sall be therefra; but what sall be concluded ather concerning the constant platt or interim, sall stand in force and full effect, as if the same had beene concluded by the Generall Assemblie, but anie reclamatioun therefra, as said is.

And becaus the said worke will require waiting on, and the saids eighteene commissioners will be putt to charges and expences, it is ordeanned, that their expences sall be borne by their provinces. And for the faithfull executioun heerof, they all are sworne, except Mrs Alexander Dowglas, Johne Knox, Patrik Galloway, Johne Clapperton, and Johne Howesone, who were not present.

A FAST APPOINTED.

In the nynth sessioun, a Fast was appointed to be observed in August, through the whole realme, from the first Sabboth to the nixt following. These causes following were sett doun in print:—

"1. The great abundance and increase of sinne, and transgressioun of all the commandements of God by all the estats, fostered by impunitie and laike of justice; producing, in speciall, all kinde of murther and oppressioun.

"2. The great apostasie, defectioun, and decay of zeale and godlinesse in professours of everie estat.

"3. The great and present danger that the church, commoun weale, and king standeth in, through the wrathe of God, not onlie kindled against us, but also justlie burning and devouring us up alreadie, by sindrie fearefull plagues and punishments, as by unseasonable weather, dearth, and famine, and appearance of greater; the deepe conspiraceis and daylie confederaceis of the factioun of the knowne adversareis to religioun, king, countrie, threatning to roote us out from being anie more a natioun, and the breaking and removing of our two staves of church and commoun wealth.

"4. The compassioun it becometh us to have of our brethrein of other churches, under no lesse danger than we, through all Europ, not onlie by the confederats of the Councell of Trent, but also by the barbarous crueltie and great boundage exercised and brought upon our deere and worthie brethrein, by suche as it becometh not, speciallie in Poland, England, Saxonie, and diverse parts of Germanie."

MR D. BLACKE DELATED TO THE KING.

In the same moneth of August, Mr David Blacke, minister at St Andrewes, was called before the king and counsell at Falkland, to answere for certane speeches uttered by him in his doctrine, against the king's progenitors. William Balfour, fearing that Mr David

sould have evicted his hous in the Abbey, to be a manse for the minister, filled the king's eares, by diverse courteours, with sinistrous informatiouns of his doctrine and ministrie. The king asked at Mr James Melvill, what was his judgement of Mr David Blacke? He answered, that he was a godlie man, and a powerfull preacher, and that his ministrie had beene verie fruictfull in St Andrewes. "O," said the king, "yee are the first I have heard speeke good of him." "I am sorie, Sir," said Mr James, "that your Majestie hath not asked at the best sort of ministers, gentlemen, and burgesses, concerning him." "I know," said the king, "who are the best, and have spokin with them; but all your seditious dealings are, and have beene, cloked with that name of the best men." "Then surelie," said Mr James, "your Majestie sall doe weill to give Mr David an assise of a number of anie the three rankes, none excepted, but suche as are knowne to have particular querrels against him; and if they fyle him, I sall not speeke againe in this maner for him, till your Majestie find in effect what he is."

The king slippeth from Mr James, and sayeth to a courteour, "Faith, Mr James Melvill and I are at the hight of our familiaritie, for I perceave he is all for Mr David Blacke, and the like." Alwise the king, least he sould irritat the kirk, by calling before his counsell anie minister for their doctrine, becaus suche a course had not succeeded weill before, called onlie a number of the brethrein of the ministrie to try and judge, but speciallie suche as were offended with Mr David's plaine forme of doctrine; for he spaired nather king nor minister; never suffered non-residents in his presbyterie rest till they made their residence.

Mr David compeering, declynned the king's judicatorie in doctrine; and as for the brethrein, he refused them not to be judges, providing they made up anie assemblie of the kirk rightlie called for that effect; content otherwise to conferre with them in privat, and satisfie them, in anie doubt conceaved in his doctrine. The king summarilie and confusedlie past over all, and putt none of these things to interloquitor, but called for the witnesses. Mr David was called on to alledge his exceptiouns, if he had anie

against them. Mr David answered, incace that were a competent judicatorie, as it was not, there ought to be an accuser, fortified with two witnesses, according to the rule of the apostle. But his answere was past over, and a number of witnesses were examined, Burleigh, the delater and accuser, being alwise present. Which when Mr Andrew Melvill perceaved, he schopped at the chamber doore where they were conveened, went in, and after humble reverence done to the king, brake out in free speeches, letting the king understand plainlie, as he did diverse tymes before, that there were two kings in Scotland, two kingdoms, and two jurisdictiouns, Christ's and his; and if the King of Scotland civill, King James the Sixt, had anie judicatorie or caus there presentlie, it sould not be to judge the faithfull messinger of Christ, but this tratour, (turning him to the Laird of Burleigh,) who has committed diverse points of high treasoun against his Majestie's civill lawes, to his great dishonour, and offence of his good subjects; namelie, taiking his peaceable subjects in the night out of their houses, ravishing weomen, recepting within his hous the king's rebells and professed enemeis. Burleigh falleth doun on his knees before the king, and craveth justice. "Justice!" said Mr Andrew, "would to God yee had it, for then yee would not be heere to bring a judgement from Christ upon the king, and thus unjustlie vexe the faithfull servant of God." The king beganne with rough countenance and speeches to command silence, and to dash him. But he boore out the mater so with greater boldnesse, that the king was faine to compose the mater betuixt them with gentle termes, and said mirrilie, they were both little men, and their heart was at their mouth. So that meeting was dissolved before noone, nather were they assembled againe in anie forme of judicatorie.

Mr James Melvill perceaving the king to be incensed against Mr Andrew and Mr David, informed the Erle of Marr of the truthe of the whole mater, and willed him to consider how dangerous a thing it was to his Majestie to breake out with the kirk at this tyme, when Bothwell had confederated with the excommunicated Papists, and the borders were stirring. He travelled with

the king. The king called Mr David himself, and in privat and homelie maner desired to understand the truthe, by way of conference. Mr David and Mr Andrew satisfied the king.

In end, the king directed Mr James Melvill, after long conference upon these maters, to St Andrewes, to relate the whole proceedings, that the people might be informed that his Majestie and their minister were weill agreed; for it was reported that the king had begunne to putt at the kirk, and to plunge with the ministrie. Mr James taught at St Andrewes the day following, upon the 127th Psalme. He told that the witnesses were examined, the king satisfied, and the king and their pastor reconciled. Becaus he knew his speeches would be marked, he sett doun the whole points he was to speeke of upon that mater in writt, as followeth :—

"Now, I am sure, good Christians and brethrein, yee would faine have newes from this last dyett, which we have keeped with his Majestie at Falkland. And, indeid, the king's Majestie and brethrein of the ministrie there conveened, fearing that which in effect is fallin out, viz., the fashiouns of evill fame, which ever reports of all things to the worst, and oftin tymes soweth abroad lees for veritie, and evill newes for good, as we heare it has been reported among you, that the king had begunne to putt at the kirk, and to plunge in maters with the ministrie; namelie, had medled with your pastor, and ather putt him to exile, waird, or silence, whill as indeid there is nothing lesse. Therefore has his Majestie and the said brethrein directed me to this place, to testifie and declare the truthe.

"First, then, it is of veritie, that a great number of evill reports have beene caried from this place to the king. So bussie have men beene, speciallie suche as were tuiched in their particulars, which might have easilie moved and crabed the king; but he suspended his opinioun, and reserved all to a just tryell, as occasioun might best serve for the same.

"Amongst the rest, a delatioun of late was made, most offensive and odious, that Mr David, your pastor, by name sould have publictlie from pulpit traduced the king's mother most vyllie, to

make his Majestie contemptible in the eyes of his people, and to stirre up the seditious to treasonable and dangerous attempts against his Majestie's estat and person; the which could not be suffered unputt to tryell. Compeering then before his Majestie, and a good number of the brethrein of the ministrie, both the accuser and accused, the accuser affirmed that your pastor had spokin never a good word of the king's mother, but muche evill, the which if he sould not prove by sufficient witnesses there present, he sould be content to tyne his land, life, and all.

"Your pastor answered, he had commended his Majestie's mother for manie great and rare gifts, and excellent vertues, and onlie verie sparinglie and soberlie had tuiched the truthe of the judgement of God which had come on her for resisting the wholesome admonitioun of the Word of God.

"So the witnesses were produced and examined. It was found cleere in end, that your pastor, contrare to the accusatioun, had spokin muche good of the king's mother; as also, had spokin concerning the judgements of God upon her in her fall.

"The king could not think it altogether unlawfull to use his mother for exemple, but thought it no wise expedient in his tyme, becaus of the people, that is ever readie to draw that in the contempt of his Hienesse' persoun; and of the seditious and treasonable, wherof there are manie in the land, who are ever readie to grippe therat, as though the forme of men's dealing against her, which was extraordinarie, might be drawin in exemple, and used by them.

"Therefore, it was thought expedient by the whole brethrein there, that nather Mr David, nor no minister, sould speeke a word of his Majestie's mother, till that a certane act of the Generall Assemblie, made theranent at Dundie, were seene and considered; and in all tymes coming, the tenour therof to be keeped preciselie.

"And for satisfactioun of his Majestie, the said Mr David came most humblie in his Majestie's presence, and acknowledged there, that as he sould make answere to God upon the usage of his ministrie, he thought not that his speeches could be offensive to his

Majestie, nor anie wise meaned to have offended his Hienesse, but onlie used that exemple, to beare doun sinne, in the person which he was rebooking; nather yitt would he heerafter use that speeche, nor anie other, wilfullie or undutifullie, to his Majestie's offence or displeasure; but as his heart was effald, upright, and most affectioned to his Majestie, as anie subjects or ministers in the realme, so would he make it knowne in experience and all dutie to his Hienesse heerafter. Wherewith his Majestie was weill pleased, and in good favour dimissed the said Mr David. Conceave, therefore, rightlie and reverentlie, and stand in good opinioun both of your prince and pastor, for the discharge of all dueteis addebted to them; and pray God to keepe his Majestie in good concord and agreement with his faithfull and true servants, deteasting from your hearts the evill dispositioun of suche persouns as, for their particular, are sett in the contrare."

This peece of service was weill accepted by both parts, but Mr James his court grew lesser, and decayed after, speciallie at the returning of the Popish lords, who departed out of the countrie the spring before. During the tyme of his two yeeres courting, not sought, but offered to him, as he went about to winne the king to the kirk, so farre as in him lay, so was the king in winning him to the court.

BURLEIGH AND MR A. MELVILL RECONCILED.

In the moneth of September following, the Erle of Orkney, at Burleigh's desire, was directed from the king to St Andrewes, where he made the reconciliatioun betuixt the said Laird and Mr Andrew Melvill, Rector of the Universitie, Mr David Blacke, and Mr Robert Wallace, ministers, at St Andrewes. Under this pretext, Burleigh drew the people to the hous of Dairsie, and the Laird of Dairsie was receaved againe to be their proveist.

J. MACKMORRAN SLAINE.

Upon the 15th of September, Johne Mackmorran, one of the bailliffes of Edinburgh, was shott through the head by a young boy, called William Sinclare, holding the Grammar Schoole, with other schollers his companiouns, becaus the privilege or vacance for certane dayes was not granted unto them. This man was the richest merchant in his tyme, but not gracious to the commoun people, becaus he caried victuall to Spaine, notwithstanding he was oftin admonished by the ministers to refraine.

DEARTH AND FAMINE.

The corne was so evill winne this harvest, that there fell out a great dearth and famine this winter, so that sindrie died in the north for verie hunger. There was a great mortalitie of bestiall the yeere before.

THE DEATH OF CHANCELLER MATLANE.

Upon the 3d of October, Sir Johne Matlane, Chanceller, departed this life in a verie good estat, as appeared, for a life to come, howbeit his practises, at his first entrie to court, were verie pernicious and offensive to the godlie manie yeeres after. He preassed in end to repaire all wrongs, so farre as he might. He was carefull to keepe peace betuixt the two nighbour countreis, betuixt the king and the kirk, and to withdraw the king's favour from the Papists, which kythed the yeere following after his departure. Yitt it was thought that all the good he did, he did it to winne the ministrie, and to strenthen himself against Bothwell. Howsoever it was, he granted at his death, that he had greatlie offended that man of God, Mr Knox; wished often that he had builded a hospitall when he builded his castell at Lawder, and cryed oftin for mercie.

ANGUS CRAVETH A CONFERENCE.

Upon Tuisday, the 7th of October, the Synod of Lothiane being conveened in Edinburgh, a motioun was made in the privie conference, by some ministers, to grant conference to the Erle of Angus. Mr Johne Davidsone oppouned, seing it was not propouned publictlie to the Assemblie. "It savoureth," said he, "greatlie of defectioun in these dayes, that suche a notorious rebell to God, his kirk, and this realme, that hath so oft and in so high degree mocked the kirk, sould be heard, before farther tryell be had of his repentance. He has beene twise excommunicated, and ever deceaved the kirk, and polluted the land with his messes. Therefore, we ought to doe nothing rashlie, in so grave and dangerous a mater, least a doore be opin to bring in the rest of God's enemeis, without better prooffe of their repentance and amendment, than we have yitt seene." It was objected that he had caused the Synod of Fife to be suted. "That is no prejudice to us," said he, "becaus there he was excommunicated, and from thence came the beginning of his casting out of the kirk, which was ratified by the Generall Assemblie. If it be said, they have found occasioun to heare him by offer made, and desire our concurrence, we may answere, we know not the offer; for who made it?" Mr David Lindsay, interrupting him, said, "The king made the offer." "That was not eneugh," said Mr Davidsone; "the king was not partie, nor made the offer in the partie's name, by way of sute, but rather gave his advice." "The king," sayeth Mr David, "has givin him licence to stay with a nobleman, to attend upon conference." "The king ought not to have givin him licence," sayeth the other, "he being excommunicated." In end, he consented that he sould be tryed to the quicke, by some sound and judicious men, but without authoritie or warrant from the Synod. Mr Walter Balcalquall said, the Synod might not meddle in that mater, which concerned the estat of the whole kirk, without the Generall Assemblie. Other brethrein were of the same judgement, so the mater was

drivin over that night. The day following, Mr Davidsone desired the brethrein to requeist the king to execute justice upon suche a manifest tratour; and to putt him in minde how his Majestie, at the discoverie of their conspiracie, said, it past his reache to pardoun so high treasoun.

THE COPIE OF THE KING'S LICENCE TO ADMITT THE ERLE OF ANGUS TO CONFERENCE.

"*Rex.*

"We, understanding that the cheefe occasioun and pretence of the late troubles which occurred within our realme these diverse yeeres bygane, has proceeded upon controverseis in religioun, and that William, some tyme Erle of Angus, one of the professours of the contrarie religioun, is now willing to obey our lawes, by professing and exercising of the said true religioun, and satisfeing of us, the true Kirk of God, and ministrie therof, if, after conference had with them, he may be moved in conscience; and we, continuing in our accustomed clemencie, for safetie of our subjects and quietting of our estat, and willing, if it be possible, to reduce the said sometyme erle from his errours, to the acknowledging of the truthe, and professing of our obedience: For this effect, we have dispensed, and by thir presents dispense, with all and whatsomever processes, sentences, and doomes of forfaultour pronounced against the said sometyme erle, and with all crymes, transgressiouns, and offences committed by him at anie tyme bygane, untill the * * day of * * nixtocum, to the effect, in the meane tyme, he may have the conference of suche of the ministrie as the kirk sall appoint, and others sincere and unsuspected professours of the true religioun, as he sall call unto him for his resolutioun. During the which space, we appoint and ordeane him to remaine in hous and companie with our right traist cousin and counseller, the Erle of Morton; and give full libertie and power to our said cousin to receave and interteane him; and to all others our lieges and subjects, being sincere and unsuspected professors of the true reli-

gioun, as said is, to intercommoun with him personallie, or by their letters, without anie cryme, paine, or danger to be incurred by them, their persons, lands, goods, or geir, notwithstanding whatsomever our acts, statuts, or constitutions made, or to be made, in the contrare; wheranent, and all paines conteaned therintill, we dispense by these presents, declairing our said cousin's recept of the said some tyme erle, and the travells and intercommouning of others our subjects foresaid, with him, to be reputed for good and thankefull service done to us; lyke as also we have assured, and by the presents, upon our honour and princelie word assure the said sometyme erle, to be in full suretie of his life during the space foresaid, and no wise to be querrelled, troubled, charged, or burthened with anie his former offences, but that the same sall remaine as bureid during the said space.

"Givin under our signet, and subscribed with our hand, at * * the * * day of * * and of our raigne the 29th yeere, 1595."

A CONFLICT BETWEENE THE MAXWELLS AND JOHNSTOUNS.

In the end of October, the Lord Hereis, accompanied with the Laird of Newark and Neatherpooke, and others of the surname of Maxwell, their freinds and hyred servants, to the number of three hundreth or foure hundreth men, came out of Dumfreis, to seeke some of the Johnstouns at Lockerbie. But the Johnstouns gathering, mett them. The Laird of Neatherpooke, Maxwell, with eighteene or twentie of his servants, was slaine, the Laird of Newarke deidlie hurt, a great number of gentlemen mutilated and hurt, and manie taikin prisoners by the Johnstouns.

THE MINISTERS' COMPLAINTS.

Upon Fryday, the last of October, Mr Walter Balcalquall teaching upon the 84th Psalme, said, there was an aged man of sixtie-foure yeeres, that came to compleane to the king of injurie done to

him, who, immediatlie after his parting from the king, was slaine by his adversareis. "Fy! if there be an inche of the heart of a king in him, he will not suffer it unpunished." The day following, in the sermoun of preparatioun before the Communioun, Mr R. Bruce said, the sunne never shyned a day without some rare judgement: and brought in for exemple, that the excommunicats in the North had taikin and hurt a baron of the religioun, for religioun's sake; meaning Ludquharne, beseiged, and evill used by the Hayes. "What would they doe," said he, "if their cheefe were at home?"

CONSULTATION UPON RESISTANCE OF THE SPANIARDS.

About the end of November, [there was] a great bruite of the Spanish fleet lying at Biskay, to the number of three hundreth saile or thereby, wherupon followed great preparatioun for warre in England; proclamatiouns for musters and weapon-showings in Scotland. An act was made by the counsell for resisting the Spaniards. Mr James Balfour, and the king's owne ministers, were directed by the Presbyterie of Edinburgh, to desire some meeting, to consult upon the meanes to resist them. Mr James reported the king's answere the day following, that is, the thrid of December, viz., that he was verie willing that all meanes sould be used; but the convocating of professors by the presbytereis would disgrace his proceedings. They could not know what to make of this answere. The king rydeth away earelie in the morning. They insist, notwithstanding, as not satisfied, and appoint Mrs Robert Pont, Thomas Buchanan, Johne Davidsone, and Johne Howesone, to conferre upon the act of counsell made for resisting of the Spaniards. They meeting together, all except Mr Robert Pont, agreed upon these overtures: 1. That the new Act of Counsell sould be printed. 2. That it sould be proclamed at Mercat Croces. 3. That the old commissioun sould be renewed, with some correctioun, and change of persons, commissioners. 4. That a privie

commissioun sould be sought, for apprehending some suspected persons presentlie.

Upon Tuisday, the 9th of December, Mr Johne Davidsone adding in the thrid place, in the exercise of prophecceing, when he came to the applicatioun, had this speeche following:—

"I came not hither by hap-hazard, but sent of God more than sevin yeeres since. So long as I had place to teache, I dealt faithfullie, according to the meane measure of knowledge bestowed on me, after a rude and familiar way, of verie purpose for edificatioun's sake; whereas I could have done otherwise, if my conscience would have suffered me. It was compted rude and rough by manie; but I thanke God, I wist what I spake. So that I have uttered nothing against prince, preacher, or people, which I have not my warrant for, and by the helpe of God will stand to the defence of it, in the face of man or angell. So that my first preaching and last are one, without differing, to witt, that the princes of the land, the king, the cheefe prince, with the rest of the rebellious nobilitie, the profane ministrie, and negligent for the most part to winne soules, and the rebellious multitude, sall be severelie punished, except they repent. I have sought to be away, but could not till now, that it has pleased the Lord to ryppin my departure. It was nather a drinke of the Muse Well, nor anie other benefite in Edinburgh, that drew me to it lyke an adamant stone, as some speeke, or that keeped me heere; but the mightie hand of God sent me hither, for causes knowne to him. And so, having cleered my ministrie hitherto, I take my leave of you in Christ."

M.D.XCVI.

This yeere is a remarkable yeere to the Kirk of Scotland, both for the beginning and for the end of it. The Kirk of Scotland was now come to her perfectioun, and the greatest puritie that ever she atteaned unto, both in doctrine and discipline, so that her beautie was admirable to forraine kirks. The assembleis of the sancts were never so glorious, nor profitable to everie one of the true

members therof, than in the beginning of this yeere. There was good appearance of further reformatioun of abuses and corruptiouns, which were espied, when the covenant with God was renued first in the Generall Assemblie, then in particular synods and presbytereis. There was also appearance of a constant platt, for providing perpetuall stipends to all the parish kirks within the countrie. But the devill invying her happinesse and laudable proceedings, so inflammed both Papists and politicians, and stirred them up to disturbe her peace, and to deface so glorious a worke. The Papist perceaved there was no rest for him in Scotland, if her authoritie continued. The politicians feared their craft and trade (which is to use indifferentlie all men and meanes to effectuat their owne aimes, and to sett themselves up, as it were, in the throne of Christ) sould be undone. Wheras now, she had gottin the apostat erles, Angus, Huntlie, and Erroll, forefaulted for an unnaturall and treasonable conspiracie with the Spainiard, and expelled out of the realme, and was setting herself to reforme whatsoever abuses and corruptiouns were perceaved in her members, and speciallie, against the re-entrie and restauratioun of the said erles, by the craft and policie of polititians and dissembled Papists she was forced to take herself to the defence of her owne liberteis, and of that holie discipline which was her bulwarke, and leave off farther persute of the excommunicated erles re-entering. For, some thornie questiouns in points of discipline were devised, whereby her authoritie was in manie points called in doubt; ministers were called before the counsell, to give a compt of their rebookes in sermoun, and to underly their censure; the ministers of the kirk of Edinburgh, which was, in a maner, the watche-towre to the rest, were forced to lurke; and that kirk, which shynned as a lampe to the rest of the kirks within the countrie, was darkenned, and no lesse danger appeared to threatin the like to the rest. In a word, the end of this yeere beganne that doolefull decay and declynning of this kirk, which has continued to this houre, proceeding from worse to worse; so that now we see such corruptioun as we thought not to have seene in our dayes.

In the beginning of Januar, there was a proclamatioun sett furth and printed, whereby the leiges were charged to prepare themselves by mustars and otherwise, for withstanding of the Spaniards, mynded, as was reported, to invade this yle; to lay aside all particular querrells, and to interteane peace in the borders, that they may be the more able to resist them. The tenor of the proclamatioun, as it is extant in print, heere followeth:—

"James, by the grace of God, King of Scots: To our lovits, Rothesay; heralds, Dingwall and Bute, pursuivants, messingers, our sheriffs in that part, conjunctlie and severallie, speciallie constituted. Forasmuche as the ambitious pretence of the King of Spaine, to make conqueist of the crowne and kingdom of England, is more nor manifest to all that are indued with the least spunke of understanding within this yle, as has appeared by his innumerable practises to that effect, within the space of these nynteene or twentie yeeres past; and most speciallie, by suche a great armie by sea which he reeked out in the yeere of God 1588, wherin so great a provisioun was made for conqueist, as they laiked nothing uncaried with them that was necessarie, not onlie for helping them to overcome, but lykewise for settling and setting them doun there, after their victorie, as numbers of moonkes, friers, preests, and all sort of shavelings, for exercing their corrupted religioun; and also, wives, bairnes, with all kinde of houshold geare and plenishing requisite for dwelling.

"But although it pleased God, of his infinite goodnesse, by his mightie power, and no wise by the arme of man, to disappoint his so dangerous interprise at that tyme, making the winds his messingers, to scatter and destroy that hudge and fearefull preparatioun for conqueist, yitt has not this overthrow in anie wise diminished the said king's courage, in making him swerve from his former attempts; but, by the contrarie, the greatnesse of his losse has so bolldenned him with the bitternesse of revenge, as he has ever sensyne bended his whole witts, and imployed all his power, to make this his last and greatest faird inevitable to all his enemeis; and for that caus

has he appointed this nixt sommer to be the full period of tyme for perfytting of that great purpose.

"And now, what perell this his pretended conqueist, incace it succeeded, (as God forbid,) might carie with it to the estate of our countrie, we leave it to the consideratioun of anie Scotish man that is not blinded with his buddes, how so great and ambitious a monarch, of nature ever givin to conquering, professing, yea, the onlie patron of that tyrannick and bloodie religioun, which is directlie opposite to that truthe which, in the great merceis of God, we professe, can become our neerest nighbour, undivided by seas or anie other impediment, without the eminent hazard of our utter thraldome both in soule and bodie, the subversioun of our crowne and estat, and the redacting of this whole natioun (so long free) in a perpetuall slaverie, the accustomed fortune of all the countreis that are by force brought under his dominioun.

"The grave consideratioun of this so great and imminent perell moved us of late, not onlie by publict proclamatioun to forwarne all our good subjects heerof, to command them to be in a readinesse, and for that caus, to give a generall muster upon the secund of Februarie nixt, but besides that, to have taikin, as we daylie take, the more paines in our owne person, for reforming the long disordered estate of our countrie, als weill by restoring the due force and reverence to the law in punishing of the horners, and all other contemners therof, as by giving order for away taking, and pulling out by the root, the whole disordered deidlie feeds and bloodie inimiteis within our realme; a barbaritie wherunto this onelie countrie has ever beene miserablie subject, as an abusse not knowne or named in anie other civill countrie of the world; to the end, that having once our whole kingdome by this meanes brought fullie under our obedience, and in peace and quietnesse among themselves, we might be the more able to resist the commoun enemie, and all as one bodie, not onlie defend our so ancient liberteis, but might likewise concurre with our nighbour of England, for preserving of this yle from the tyrannie of strangers.

"But becaus the nature of all people is suche, and speciallie of the people of our owne natioun, that although they apprehend once never so deepelie anie imminent danger that they are forewarned of, yitt, long intermissioun of tyme cooleth their heate, and maketh their former zealous fervencie to turne in a sluggish slownesse. Therefore, seing God has appointed us, als weill to be the great captan of our people in tyme of warre, as their governour in tyme of peace, it is our duetie wiselie to give the allarum when tyme serveth, that all our good subjects may in due tyme be upon their guardes; which has moved us now, of new again to waikin them up by this our present proclamatioun, renewing heereby our former wairning, commanding expresslie by thir presents all our good subjects, as they tender the weale of their owne soules and consciences, and the libertie therof, our obedience, and the libertie and safetie of the whole commoun wealth in generall, and of the wives, barnes, and famileis of everie one of them in particular, that, on the one side, they omitt no kinde of preparatiouns, by mustars or otherwise, according as our former proclamatiouns have prescribed unto them; and, on the other part, that they rander suche due reverence and obedience unto the law as becomes good and loving subjects, postponing their base and barbarous particular querrells to the honourable and worthie publict caus. For in ourself we have made a princelie vow, never to ceasse, whill we have that barbaritie of feeds utterlie extinguished, and to become plaine partie against all and whatsomever that darre oppone themselves to that good order that we are to establishe in that earand. Lett us abhorre the beastlie Indians, whose unworthie particulars made the way patent of their miserable subjectioun and slaverie under the Spaniards; and lett us preasse to ressemble the worthie ancient Romans, who not onlie preferred their commoun weale to their owne particulars, but even to their owne proper lives.

"And becaus the King of Spaine, amongst his other politick devices for advancing of this his interprise, has oft tymes, by his supposts, budded and practicqued diverse of our uncolie borders,

under pretexte of old inimiteis and picks betuixt the two nighbour realmes, to make opin incursiouns by way of hostilitie upon our nighbour countrie, and rathest at suche times as this is for staying of our commoun concurrence against the commoun enemie: Our will is heerefore, and we charge you straitlie and command, that, incontinent thir our letters seene, yee passe, and in our name and authoritie command and charge, first, in generall, all our subjects, inhabitants of our borders, not onlie to desist and ceasse from all violence and hostilitie against the opposite borders of England, but farther, to mainteane and increasse, by their loving and courteous behaviour toward them, that happie amitie inviolablie continued betuixt us, the two princes, during the whole space of both our raignes, as the neerenesse of blood betuixt our two persons, the uniformitie in the true religioun, (the greatest bond of amitie that can bind true Christians,) and the likenesse in language and maners, most justlie do require: Certefeing all the controveeners heerof, that they sall be reputed and holdin as practicers with strangers, for subversioun of the true religioun, and estat of their native king and countrie, and sall be punished with all rigour for the same, as effeires. And in speciall, that yee command and charge the wairdans and officers of our whole marches foreanent England, to take diligent care and travell, everie one within their owne offices and bounds committed to their charge, that quietnesse and good nighbourheid with England may preciselie be keeped and observed; and that they represse and punishe als carefullie and rigorouslie the insolencie of the contraveeners heerof, as if the same injureis were committed upon our owne subjects, as they will answere to us upon their offices, and upon all uttermost charge and perrell that heerupon may ensue: and that they make the opposite wairdanes and officers of England foreseene and acquainted with our order and intentioun in the premisse, as yee will answere to us heerupon. The which to doe, we committ unto you, conjunctlie and severallie, our full power, by thir our letters, delivering them by you duelie executed, and indorsed again to the bearer.

"Givin under our signet, and subscribed with our hand. At Halyrudhous, the secund day of Januar, and of our raigne the 29th yeere, 1595, (according to the new accompt, 1596.")

(*Sic subscribitur*) "JAMES R."

This is the proclamatioun wherof Camden makes mentioun in his Annales, which he relateth to have beene verie acceptable to Queene Elizabeth. Yitt there is no mentioun made in it of the traffiquing of our apostat erles with the King of Spaine, both in the 1589 yeere and 1592, the memorie wherof was yitt recent and freshe; yea, before the end of this yeere, he laboured to have them restored to their owne freedom and libertie.

THE OCTAVIANS CHOSIN.

About the beginning of this yeere were chosin eight commissioners by the king and counsell, called the Commissioners of the Exchecker, but otherwise by the people called Octavians, to whom was committed the oversight and care of the king's rents, propertie, and casualteis, becaus the king was superexpended, and that through the default of these who had the charge in former tymes. Their names follow: Alexander Setoun, Lord President, Mr Johne Lindsay of Baccaras, Walter Stuart, Pryour of Blantyre, Mr Johne Skeene, Clerk of the Register, Mr Peter Young, Eleemosyner, Sir David Carnegie, Laird of Colluthie, Mr Thomas Hammiltoun, the king's Advocat, and Mr James Elphinstoun, one of the Senators of the Colledge of Justice. They were solemnelie sworne, without feed or favoure, to respect the king's weale and profite. The king agreed to dispone none of his casualteis without their consent, at least, of foure of their number. They craved nather wages for their paines, nor intromissioun with anie thing, but simplie professed they had onlie regard to the king's estat and revenues. They resorted daylie to the Upper Tolbuith of Edinburgh, where they satt everie after noone. They discharged gifts and pensiouns dispouned to the king and queen's domestick servants, and re-

moved manie of them. All that were at the horne were charged to come in and compone. The Maister of Glames, Treasurer, was urged to demitt his office. He made some difficultie, wherupon he gott six thowsand punds for contentatioun, and so demitted. Walter Pryour of Blantyre was made Treasurer, in the beginning of Marche. David Setoun of Parbrothe, Comptroller, and Mr Robert Dowglas of Glencludden, Collector, demitted their offices voluntarilie, a little before, being required so to doe. This change portended a great alteratioun in the kirk; for some of the number were suspected of Papistrie, and all were counsellers, and sweyed the effeirs of the countrie as they pleased.

THE * * GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh in the East Kirk, the 24th day of Marche. Exhortation being made by Mr James Nicolsone, Moderator of the last Assemblie, upon the sixt of Isay, David Fergusone, Mrs David Lindsay, James Balfour, and Robert Pont, were removed, and the said Mr Robert, by pluralitie of votes, was chosin Moderator.

In the beginning of the Assemblie, there was some consultatioun upon the causes of their conveening; wherupon Mr Johne Davidsone, then minister at Saltprestown, and a member of the Presbyterie of Hadintoun, produced the advice of that Presbyterie, tuiching the heeds of the letter sent from the commissioners of the Generall Assemblie to them, the tenour wherof followeth:—

TUICHING THE TWO HEEDS PROPOUNED BY THE COMMISSIONERS OF THE GENERALL ASSEMBLIE TO THEIR BRETHREIN, TO ADVISE UPON AGAINST THIS ASSEMBLIE, VIZ., OF UNIVERSALL REPENTANCE, AND EARNEST TURNING TO GOD; AND OF ORDER TAIKING FOR RESISTING THE ENEMEIS, AND MAINTENANCE OF THE LIBERTIE OF RELIGION AND COUNTRIE.

"Our advice in the first is, that yitt once at the last, the cheefe

and grosse sinnes of all estats which procure this present wrath of God be agreed upon by name, severallie, and acknowledged by this Assemblie, for the more easie provocatioun of the whole bodie of this realme to earnest repentance, and speedie turning away from the sinnes foresaid. For as Johne sayeth, 'If we acknowledge our sinnes, God is faithfull and just to forgive us our sinnes;' otherwise, if in so great a multitude of our iniquiteis which this day answere so plainlie to the faces of all estats of this realme, we say on still, with the unhappie Jewes, as hitherto we have done, 'Wherin have we sinned?' what ellis doe we, but as desperatlie they did and said, in the dayes of Jeremie? 'Surelie we will walke after our owne imaginations, and doe everie man after the stubbornnesse of his wicked heart:' and so, as it is said in the law, The Lord will not be mercifull unto us, no, not though Moses and Samuell would pray for us; but will shew us the backe, and not the face, in the day of our destructioun. (Deut. xxix. 19, 20; Jer. xv. 1; and xviii. 12–17.)

"And to beginne at ourselves of the ministrie, that we acknowledge our publict transgressions, in our persons and office particularlie, wherof the catalogue is in readinesse to be seene, according to the admonitioun of the Lord by his prophet, saying, 'Lett the preests, the ministers of the Lord, weep betweene the porche and the altar, and lett them say, Spaire thy people, O Lord,' etc., least it be found, according to the saying of the apostle, that we that teache others teache not ourselves, and so be found reprobats. (Joel ii. 17; Romans ii. 21.)

"Nixt, that this Assemblie agree upon the true and right taiking up the sinnes of our princes and magistrats, superiour and inferiour, and on the sound meanes to deale with them ductifullie and faithfullie, without all flatterie, for their true amendiment; according to God's command to the prophet, saying, 'Say unto the king and to the queene, Humble yourselves, sitt doun; for the crowne of your glorie sall come doun from your heads.' For their sinnes are not the least caus of the plague of God on the people, as by David, Manasseh, and others, may be seene. (Jerem.

xiii. 15; 2 Sam. xxi. 1; and xxiv. 1–17; Isay xix. 13; and Jerem. xv. 4.) Some particulars articulated.

"Thridlie and last: That the most notorious sinnes of the whole bodie of the people, in burgh and land, be givin in and acknowledged, and order taikin for the speedie amendiment therof, by the ministrie and magistrats, according to the exemples of Josuah, Jehoshaphat, Ezekias, Josias, the King of Nineveh, Constantius, Constantine, etc., the prophets and apostles, etc. The catalogue over easie to be made. (Josuah vii.; Judges xx.; 2 Cron. xix. and xx.; Jon. iii.)

"As for resisting the commoun enemie, which is the secund, our judgement is, that the sound following out of the former advice tuiching the first, sall make an easie way for the secund; otherwise, (which God forbid!) it will be but lost labour to travell muche in that mater. Yitt, wishing and hoping the best, we have remitted the particulars of that mater, and our advice theranent, to the Commissioners of this Presbyterie, who faithfullie, we doubt not, will discharge their duetie in the same."

This advice was approved by manie, but withstood by some, namelie, by the moderator himself, Mr Robert Pont, who alledged, that the first and cheefe motive of their conveening was, to consult upon withstanding the Spaniards. The commissioners' letter was read, and it was found that Mr Davidsone had said right. Mr Davidsone was appointed to give up the particular catalogue of the cheefe offences and corruptiouns in all estats. He presented the catalogue of the offences in ministers, upon Wednisday, before the Assemblie. Mr Andrew Melvill desired to be added, the censure answerable to the offence. Wherupon Mrs Nicoll Dagleish, Peter Blekburne, Walter Balcalquall, Johne Mackquherne, Adam Johnstoun, Johne Knox, James Law, John Johnstoun, and Maister Davidsone himself, were appointed to goe apart, and to consider what offence merited admonitioun, what deprivatioun; which they did.

Upon Tuisday, the 25th of Marche, the king came himself to the Assemblie. He urged a contributioun of the whole realme, not

to be lifted presentlie, but when need sould require. The moderator related to the king how the Assemblie had beene hitherto occupyed, and how farre they had proceeded in two heeds, viz., a solide meane how to resist the enemie; nixt, tuiching the purging of the kirk of offences. The Lord of Kinlosse, in name of the rest who were deputed to advise upon the first heed, reported their advice verballie. The barons and ministers, deputed to consult upon that heed, were appointed to consult farther, and to present their advice in writt. As for the other heed, the king granted he was a sinner, as other men were, but not infected, he trusted, with anie grosse sinne; and therefore required, that no preacher would inveygh against him or his counsell publictlie, but to come to him or them privilie, and tell what is the offence; and as for himself, if he mended not, incace he were guiltie, they might deale publictlie: his chamber doore sould be made patent to the meanest minister in Scotland; there sould not be anie meane gentleman in Scotland more subject to the good order and discipline of the kirk than he would be. For he acknowledged his standing to be joyned with the standing of religioun, and affirmed, that he had never anie intelligence with the commoun enemeis, nor ever promised them countenance or aide.

When the king had ended, Mr Andrew Melvill said, As for contributioun for withstanding of the Spaniards, it was agreed upon at the road in the North, that the rebells' living sould be taikin up for maintenance of the commoun caus, and their freinds and wives deprived therof, and wairded, etc., which was not done. The king replyed with a checke to Mr Andrew, that he could not redresse that, becaus it was done by his deputs there, with advice of the ministrie, that their wives and freinds sould take up their livings in their absence. Mr Andrew rejoynned, that the tyme of that agreement, which was never valide *ab initio*, was expired. The king made no direct answere, but shunned it by some wantoun speeches.

Mr Davidsone obteaning license of the moderator to speeke, said, he would tuiche onlie two things shortlie. One concerning the livings of the rebells; the other, concerning the duetie of the

ministrie, in reproving his Majestie. He made a preface tuiching his Majestie's princelie and loving offers to the kirk and realme. "This one thing I may confidentlie speeke," said he, "in name of all your good subjects in Scotland, that as they are most willing to concurre with your Majestie to their powers, for the defence of the peace of this kirk, commoun weale, and his Majestie's persoun, so there is nothing that would animat them more, remove all scruple out of their hearts, encourage them to assist readilie with their life, lands, and goods, nor the substantiall medling with the lands, goods, and possessiouns of the detected rebells, and applying them, without further delay, to the use of the commoun caus, at the sight of all men; otherwise, doubtfulnesse can not but remaine in men's hearts. As to the other point," said he, (directing his speeche to the Moderator and the Assemblie,) "seing it pleased God to move his Majestie to submitt himself to the scepter of the Lord Jesus, and the discipline of the kirk, as yee have heard, it standeth you in hand to discharge your duetie toward his Majestie and hous, that through your negligence heerin, we, that be God's servants, be not otherwise hazarded in our lives, for the discharge of our dueteis in this cace." The king replyed nothing to the first part of his speeche, which concerned the rebells' livings. "It may be," said he, "some men heere present take, peradventure, occasioun of my last speeches, to thinke otherwise of me, my hous, and counsell, than there is caus. I will have no man thinke, that if anie grosse fault be found in anie of us, that we will refuse to be judged therof by this Assemblie, or anie one of you, providing it be done privilie, as said is." "Yee heare, brethrein," said Mr Davidsone, "his Majestie's offer. Therefore, in the name of God I exhort you, discharge your duetie at this tyme, seing, in this publict defectioun, and now, when God is threatning us for the same, everie estat hath the owne grosse sinnes, as we have alreadie seene in the triell of the ministrie, and shortlie ye are to heare, in the tryell of his Majestie's hous, counsell, and other magistrats, and other inferiour estats; that so, after due tryell of these offences in his Majestie, his hous, and counsell, yee discharge your duetie therin; otherwise,

I protest, if yee faile therin, that we, that are the servants of Christ, sall find fault both with you and his Majestie, as becomes us. But whether yonder way that his Majestie speeketh of, by admonishing privatlie for opin sinne, and manifest continuing therin, if it be according to the Word of God, yee are to judge. I speeke this," said he, " for the libertie of our message, that are Christ's servants, and as a free Scotishman, as ever I have beene, and minde by God's grace so to dee." The king made no answere. Mr David Lindsey held furth untymouslie an act tuiching the platt, so that the king said, " God give you good even, Mr David." Mr Andrew Melvill said, the lords appointed to sitt on the platt, being so deepelie infected with sacriledge as they were, would never agree to a good platt for the weale of the kirk. " It may be," said Mr Davidsone to Mr Andrew, " yee know not what policie was in that: it may be, it was to try their liberalitie to the kirk, out of her owne patrimonie." Heerat, both the king and whole Assemblie laughed. Mr Davidson's freedom for the freedom of God's messingers, and that in the king's presence, before so frequent an Assemblie, was so commended by the godlie, that they wished it might be registred in the Assemblie bookes, for a testimonie to the posteriteis. The king lamented the disorder of the yeerelie alteratioun of the platt appointed for the modificatioun of ministers' stipends, and desired that a constant platt might be sett. The Assemblie thought meete, before anie thing be concluded therin, that the act of parliament, made in the yeere of God 1592, be considered.

OVERTURES FOR RESISTING OF THE ENEMEIS OF THE RELIGIOUN AND ESTAT OF THE COUNTRIE, ALS WEILL FORRAINE AS INTESTINE.

Sessioun 5.

1. That all suche as have kythed in actioun with his Majestie's forefaulted rebells, and their knowne favourers and assisters, be charged to enter their persons in waird, there to remaine, ay and

whill they find sufficient caution, that they sall not traffique nor interteane intelligence with the said rebells, nor anie other enemeis to the estat or religioun; nather sall joyne with them, nor make them anie assistance, in cace they repaire within the countrie; and that they give their eldest sonnes, or neerest freinds, in pledges for the more sure observing heerof.

2. That the whole livings of his Majestie's foresaid rebells be tane up exactlie by his Majestie's officers, to be appointed for that effect, and to be imployed upon the interteanement of waiged men for the defence of the good caus against the enemie, and for bearing of other charges necessar for advancing of the said caus, as one of the effectuall meanes to encourage all suche as are knowne to be best affectioned to the caus, and to procure their effald concurrence to the uttermost.

3. That there be chosin in every parish, by his Majestie's authoritie, and voice of the minister, sessioun, and principalls of everie parish, captans knowne to be most meete, and of best affection, to conveene the whole parochiners in armes monethlie, in musters, and to see that they be sufficientlie armed, according to their abilitie, and trained up in the exercise of their armes. And siclyke, that there be chosin generall commanders, in diverse shires and quarters of the countrie, to conveene in armes at all occasions needfull, to resist all attempts and interprises of the enemie, forraine and intestine.

4. That some substantious order be tane for bringing home a sufficient number of corslets, picks, muskets, and other armour needfull; and that the same may be bought, and receaved off the merchants' hands, with all expeditioun.

Last, That the whole cautioners, which became bound for the good behaviour of the said rebells without the countrie, be charged before the counsell, and convicted in the penalteis conteaned in the acts of the cautionrie; and that the saids penalteis be employed upon the sustentatioun of waiged men, and other burtheins needfull for the weale of the caus.

Upon Fryday, the 26th, it was agreed that there sould be a

humiliatioun among the ministrie before their departure. Mrs Robert Bruce, Robert Rollock, Andrew Melvill, Patrik Simsone, James Nicolson, and Mr Davidsone, being putt in the list, Mr Robert Rollock was chosin, by pluralitie of votes, to make the exhortatioun. But he altogether refusing, the burthein was layed upon Mr Davidsone, and the Assemblie would admitt no excuse upon his part. He had no tyme and leasure to provide for that exercise, which it behoved him to discharge upon Tuisday nixt, at nyne houres, becaus he was to ryde home to his owne congregatioun to teache. The tenor of the ordinance for this exercise heere followeth :—

"*Sessioun* 7.

"Concerning the defectiouns in the ministrie, the same being at lenth read out, reasoned, and considered, the brethrein concluded the same, agreing therewith. And in respect that, by God's grace, they intend reformatioun, and to see the kirk and ministrie purged, to the effect the work may have the better successe, they thinke it necessar that this Assemblie be humbled for wanting suche care as became, in suche points as are sett doun, and some zealous and godlie brother in doctrine to lay them out, for their better humiliatioun; and that they make solemne promise before the Majestie of God, and make new covenant with him, for a more carefull and reverent discharge of their ministrie. To the which effect was chosin Mr Johne Davidsone, and Tuisday nixt, at nyne houres in the morning, appointed in the New Kirk for that effect, wherunto none is to resort but the ministrie. The forme to be advised the morne in privie conference."

THE TENOR OF THE ADVICE OF THE BRETHREIN DEPUTED FOR PENNING OF THE CORRUPTIOUNS AND ENORMITEIS IN THE MINISTRIE, AND REMEID THEROF; ALLOWED BY THE GENERALL ASSEMBLIE HEERE CONVEENED.

"*Corruptions in the Office.*

"Forasmuche as by the too suddane admissioun and light tryell

of persons to the ministrie, it cometh to passe, that manie slanders fall out in the persons of ministers, it would be ordeanned in tyme comming, that more diligent inquisitioun and tryell be used of all suche persons as sall enter in the ministrie; as speciallie in these points:

"That the intrant sall be posed upon his conscience, before the great God, and that in most grave maner, what moveth him to accept the office and charge of the ministrie upon him.

"That it be inquired, if anie by solistatioun or moyen, directlie or indirectlie, preasseth to enter in the said office. And it being found, that the solister be repelled; and that the presbyterie repell all suche of their number from voting in the electioun or admissioun as sall be found moyeners for the solicitarie, and posed upon their conscience to declare the truthe to that effect.

"Thridlie, Because by presentatioun, manie forciblie are thrust in the ministrie and upon congregatiouns, that utter therafter, that they were not called by God, it would be provided, that none seeke presentatiouns to benefices, without advice of the presbyterie within the bounds wherof the benefice lyeth. And if anie doe in the contrare, to be repelled as *rei ambitus.*

"That the tryell of persons to be admitted to the ministrie heerafter consist not onlie in their learning and abilitie to preache, but also in conscience, and feeling, and spirituall wisdom, and namelie, in the knowledge of the bounds of their calling in doctrine, discipline, and wisdom; to behave them accordinglie with the diverse rankes of persons within their flockes, as namelie, with atheists, rebellious, weake consciences, and suche others wherin the pastorall charge is most kythed; and that he be meete to stoppe the mouths of the adversareis. And suche as are not found qualified in thir points to be delayed till farther tryell, and whill they be found qualified.

"And becaus men may be found meete for some places which are not meete for other, it would be considered that the principall places of the realme be provided with men of most worthie gifts, wisdom, and experience; and that none take the charge of greater

number of people nor they are able to discharge; and the Assemblie to take order herewith, and the acts of the provinciall assemblie of Lothian made at Linlithquo to be urged.

"That suche as sall be found not givin to their booke and studie of Scriptures, not carefull to have bookes, not givin to sanctificatioun and prayer, that studie not to be powerfull and spirituall, not applying the doctrine to his corruptiouns, which is the pastorall gift, obscure, and too scholastick before the people, cold, and wanting zeale, negligent in visiting the sicke, cairing for the poore, or indiscreit in choosing parts of the Word not meetest for the flocke, flatterers, and dissembling at publict sinnes, and speciallie of great personages in their congregatiouns, for flatterie or for feare; that all suche persons be censured according to the degrees of their faults, and continuing therin to be deprived.

"That suche as be sleuthfull in the ministratioun of the sacraments, and irreverent, as profaners, receaving cleane and uncleane, ignorants and senselesse, profane, and making no conscience of their professioun in their callings and famileis, omitting due tryell, or using none or light tryell, having respect in their tryell to persons, wherin there is manifest corruptioun; that all suche be sharpelie rebooked, and, if they continue therin, that they be deposed.

"And if anie be found a seller of the sacraments, that he be deposed *simpliciter;* and suche as collude with slaunderous persons, and dispensing and overseing them for money, incurre the like punishment.

"That everie minister be charged to have a sessioun established of the meetest men of his congregatioun; and that discipline strike not onlie upon grosse sinnes, as whoordome, bloodshed, &c., but upon all sinnes repugnant to the Word of God, as blasphemie of God, banning, profaning of the Sabboth, disobedients to parents, idle unruelie ones without calling, drunkard, and suche like deboshed men, as make not conscience of their life, and ruling of their famileis, and speciallie of edificatioun of their children, leing, slandering, backbyting, flattering, breaking of promise. And this

to be an universall order throughout the realme; and suche as are negligent heerin, and continuing therin after admonitioun, to be deposed.

"That none falling in publict slanders be receaved in the fellowship of the kirk, except his minister have some appearand warrant in conscience, that he has both a feeling of sinne and apprehensioun of mercie; and, for this effect, that the minister travell with him by doctrine and privie instructioun, to bring him heereto; and speciallie in the doctrine of repentance, which being neglected, the publict place of repentance is turned in a mocking.

"Dilapidatioun of benefices, dimitting of them for favour or money, that they become lawit patronages, without advice of the kirk; and siclyke, interchanging of benefices by traditiouns, transacting, and transporting of themselves by that occasioun, without the knowledge of the kirk, preciselie to be punished. Siclyke, setting of tacks without the consent of the Assemblie, to be punished according to the acts: and that the dimissioun in favours for money, otherwise to the effect abovewrittin, be punished as the dilapidators.

"*Corruptions in their Persons and Lives.*

"That suche as are light and wantoun in behaviour, as in gorgeous and light apparrell, in speeche, in using light and profane companie, unlawfull gaiming, as dancing, cairding, dycing, and suche like, not beseeming the gravitie of a pastor, be sharpelie and gravelie reproved by the presbyterie, according to the degree therof; and continuing therin after due admonitioun, that he be deprived, as slanderous to the Gospell.

"That ministers being found swearers or banners, profainers of the Sabboth, drunkards, fighters, guiltie of all these, or anie of them, to be deposed *simpliciter;* and siclyke, leers, detracters, flatterers, breakers of promises, brawlers and querrellers, after admonitioun continuing therin, incurre the same punishment.

"That ministers givin to unlawfull and uncompetent trades and occupatiouns for filthie gaine, as holding of ostlareis, taiking of

ocker beside conscience and good lawes, and bearing worldlie offices in noble and gentle men's houses, merchandice, and suche like, buying of victualls, and keeping to dearth, and suche like worldlie occupatiouns as may distract them from their charge, and may be slanderous to the pastorall calling, be admonished, and brought to the acknowledging of their sinnes; and if they continue therin, to be deposed.

"That ministers not resident at their flockes be deposed, according to the acts of the Generall Assemblie and lawes of the realme; otherwise, the burthein to be layed upon the presbytereis, and they to be censured therefor.

"That the Assemblie command all their members, that none of them await on the court and effaires therof without the advice and allowance of their presbyterie.

"*Item*, That they intend no actioun civill without the said advice, except in small maters. And for remeeding of the necessitie that some ministers have to enter in pley of law, that remedie be craved, that short processe be devised to be used in ministers' actiouns.

"That ministers take speciall care, in using godlie exercises in their famileis, and teaching of their wives, childrein, and servants; in using ordinarie prayers, and reading of Scriptures; in removing of offensive persons out of their famileis, and suche like other points of godlie conversatioun and good exemple; and that they, at the visitatioun of their kirks, try the ministers' famileis in these points foresaids; and suche as are negligent in the points, after due examinatioun, sall be judged unmeete to governe the hous of God, according to the rule of the apostle.

"That ministers, in all companeis, strive to be spirituall and profitable, and to talke of things perteaning to godliness; as, namelie, of suche as may strenthen them in Christ, instruct us in our calling; of the meanes how to have Christ's kingdome better established in our congregatiouns, and to know how the Gospell floorisheth in our flockes; and siclyke others the hinderances and the remedeis that we find, wherin there are manifold corruptiouns

both in our companeing with our selves and with others; and that the controveeners heerof be tryed, and sharpelie rebooked.

"That no minister be found to countenance, procure, or assist a publict offender, challenged by his owne minister for his publict offence, or to beare with him, as though his minister were too severe upon him, under the paine of admonitioun and rebooking.

"Tuiching Generall Assembleis, to urge the keeping of the acts anent the keeping of the Assemblie, that it may have the owne reverence."

Upon Tuisday, the 30th of Marche, the ministers and other commissioners conveened in the Little Kirk at nyne houres, the one kirk doore being shutt, and the other sett opin for a certane space, whereby it came to passe that few were present except the ministrie, the whole number amounting to foure hundreth persons, all ministers, or choice professors. After the first prayer, Mr Davidsone caused the reader read the xiii. and xxxiv. chapters of Ezechiel. Which being done, first he purged himself of *ambitus* for that place; yitt seing it pleased God, said he, to move them to choose him, the least worthie and unmeetest in the number, to occupie the place of a teacher that day, they were not to looke that he came there to be censured of them, but to use the authoritie of a teacher, as to disciples in that respect, and yet did not take from them the libertie that God gave them to try the spirits, whether they were of God or not. He shewed that the end of that conventioun was the confessioun of their owne sinnes, who were ministers, and promise of amendiment in tyme to come; and so to enter into a new league with God, that being sanctified by repentance, they might be the meeter to provocke others to the same. That they sould not thinke it needelesse nor strange to enter in examinatioun of themselves, guiltie of the imminent judgement; they were to conferre and compare themselves, their learning, zeale, godlinesse, multitude, dayes, tyme, occasiouns, and helpes, or rather wants, with the prophets of former tymes, namelie, the prophets of these dayes wherof these two chapters treatted; and see what priviledge they have more than they had, and why

among their multitude *pro rata*, there might not be als manie false prophets, and als few true and sincere, as were in these dayes. He amplified this heed, and said by preteritioun, he would not be rhetoricall in discourse. And yitt he was verie moving in applicatioun to the present tymes, so that within an houre after they entered in the kirk, they looked with another countenance than that wherewith they entered. He exhorted them to enter into their privie meditatiouns, and to acknowledge their sinnes, with promise and purpose of amendiment. So whill they were humbling themselves for the space of a quarter of an houre, there were suche sighes and sobbs, with shedding of teares among the most part of all estats that were present, everie one provoking another by their exemple, and the teacher himself by his exemple, that the kirk resounded, so that the place might worthilie have beene called Bochim; for the like of that day was never seene in Scotland, since the Reformatioun, as everie man confessed. There have beene manie dayes of humiliatioun for present or imminent dangers, but the like for sinne and defectioun was there never since the Reformatioun. After the prayer and publict confessioun, he treatted upon Luke xii. 22, with rare assistance of God's Spirit, to the wounderfull astonishment and casting doun, and to the raising up againe of the brethrein. The exercise continued till neere one after noone. When the brethrein were to dissolve, they were stayed by the moderator, and desired to hold up their hands to testifie their entering in a new league with God. They held up their hands presentlie. Manie were wonderfullie moved at the sight of so manie hands so readilie holdin up. There was never one that was not moved, or at least that despised that exercise, namelie, Mr Davidson's part, except onlie Mr Thomas Buchanan, who, in the tymes of defectioun after, kythed a ringleader to a number of the corrupter sort of the ministrie, and in end, died with the trailing of a hors, from whence he had fallin. That the covenant might be renewed in presence of the synods after the same maner, it was concluded after noone as followeth:—

Sessioun 12.

"Forasmuche as the brethrein of the ministrie conveenned in this Generall Assemblie have, with a solemne humiliatioun, acknowledged this day their sinnes, and negligences in their consciences, before God, and have entered into a new covenant with him, protesting to walke more warilie in their wayes, and more diligentlie in their charges; and seing a great part of the ministrie is not present at this actioun, the Assemblie commandeth the brethrein of the synodall assembleis to make the like solemne humiliatioun and protestatioun as was observed by the Generall, at their nixt conveening; and so manie as be not at their synod to doe it at their presbytereis."

Sessioun 13.

Tuiching the articles concerning their Majesteis' persons and houses, the Assemblie has nominated Mrs Patrik Galloway, James Nicolsone, James Melvill, to conferre with their Majesteis theranent.

OFFENCES IN HIS MAJESTIE'S HOUS.

First, As strangers and other good subjects repairing to the court, have beene conforted to see Christian religioun religiouslie exercised, so now they are somwhat troubled, seing the exercise of the reading of the Word at table, and reverent saying of the grace before and after meate, diverse times omitted :—That on the weeke day the repairing to the hearing of the Word is more rare than of before; and that he would be admonished for hearing of speeches in time of sermon, of them that desire to commune with his Majestie.

Privie meditatioun with God, in spirit and conscience, earnestlie to be recommended to him.

His Majestie is blotted with banning and swearing, which is over commoun in courteours also, and moved by their exemple.

His Majestie would labour to have such companie about him as himself, according to his owne * * * * * which is gravelie to be recommended to his Majestie to be putt in practise. Robert-land, and suche as are suspected, to be removed; especiallie murtherers, Papists, and profane persons.

The queen's Majestie's ministrie to be reformed; and tuiching her companie, her not repairing to the Word and Sacraments, night-waking, balling, &c., and siclyke concerning her gentle weomen.

In respect of the report of the brethrein of the North, that gentlemen and burgesses are like to leave their houses for feare of the enemeis, seing their great insolencie unrepressed at home, returning of their wives to their countrie again; and their provisioun in their houses and castells for their home comming, which is murmured against in all the countrie; for remedie it is to be craved that the Ladeis of Huntlie and Erroll presentlie be brought backe again, and placed in St Andrewes; my Lord Gordoun siclyke to be brought to the South, and putt to the schooles; their freinds in the South to be wairded, as Clunie, Geicht, Abergeldie, Cowbairdy, Bonytoun younger, Craig younger, Alexander Hay of Auchinrathie, Mr Alexander Leslie of Peill, James Knolls, Johne Gordoun of Newtoun, to be apprehended, Cowie Barclay, Patrik Con. And for this effect, it was thought good that some commissioner, the Proveist of Edinburgh, with the Laird of Wedderburne, to be directed to the North, with the Assemblie's commissioners alreadie appointed.

THE COMMOUN CORRUPTIONS OF ALL ESTATS WITHIN THIS REALME.

An universall coldnesse and decay of zeale in all estats, joyned with ignorance and contempt of the Word, ministrie, and sacraments; and where knowledge is, no sense nor feeling; which it uttereth itself most manifestlie by this, that they want religious exercises in their famileis, as of prayer and of reading of the Word; and where the same, for the most part abused and profaned by

cookes, stewarts, jacke-men, and suche like; the maister of the famileis ashamed to use thir exercises of godlinesse in their owne persons, and no conference at their tables, but of profane, wanton, and worldlie maters.

Superstitioun and idolatrie is interteaned, which uttereth itself in keeping of festivall dayes, bone-fires, pilgrimages, singing of carrolls at Yuille.

Great blasphemie of the holie name of God in all estats, with horrible banning and cursing in all their speeches.

Profanatioun of the Sabboth, and speciallie in seed-tyme and harvest, and commoun journeying on the Sabboth, and trysting, and worldlie turnes, exercising all kinde of wantoun games, keeping of mercats, dancing, drinking, and siclyke.

Little care, reverence, and obedience of inferiours to their superiours, as siclyke of superiours, in discharging their dueteis to the inferiours; as where childrein pley in law against parents, and manie of them marie against their fathers' will and consent; and no care of their parents, for their educatioun in vertue and godlinesse.

A flood of bloodshed and deadlie feeds rising therupon; an universall assisting of bloodsheds, for eluding of lawes.

Adultereis, fornicatiouns, incests, unlawfull mariages and divorcements, allowed by publict lawes and judges, and childrein begottin in suche mariages declared to be lawfull; excessive drinking and waughting; gluttonie, which is no doubt the caus of the dearth and famine; and gorgeous and vaine apparrell, filthie and bloodie speeches.

Sacriledge in all estats, without anie conscience, growing continuallie more and more, to the utter undoing of the kirk, and staying of the planting of the Gospell; cruell oppressioun of the poore tenents, whereby the whole commouns of the countrie are utterlie wracked, by extreme deere setting of their rowmes, and holding out of their cornes by untymous teinding and extreme thraldom in services.

Oppressioun under pretext of law, by usurie and by contracts against law; forestalling of mercats, and regraiting by gentlemen,

burgesses, and commouns, whereby the price of victuall is mervellouslie raised, to the great hurt of the poore; and siclyke girnelling of victualls, and withholding them from the mercats, and not threshing them out in due time.

A great number of idle persons without lawfull calling, as pypers, fidlers, songsters, sorners, pleasants, strong beggers, living in harlotrie, and having their children unbaptized, without all kinde of repairing to the Word.

OFFENCES IN THE COURT AND JUDGEMENT-SEATE.

Universall neglect of justice both in civill and criminall causes, as namelie, in giving remissiouns and respits for blood, adultereis, and incests; no executioun of good lawes made against vices, or in favour of the kirk; and in civill maters the judges for the most part unmeete, ather in respect of the want of knowledge, or of conscience, or both; and when anie office vaiketh, the worst men advanced thereto, both in high and inferiour rowmes.

No executioun made against the adherents of the detected enemeis, and the enemeis themselves, nor imploying their livings to the use of resisting of the enemeis, whereby the enemeis are rather benefited nor hurted.

The odious murther of Dunnibrissell not punished.

In parliaments sacreligious persons, as abbots, pryours, dumbe bishops, voting in name of the kirk, contrare the lawes of the countrie, whereby the caus of the kirk is damnified.

The sessioun is charged with buying of pleyes, delaying of justice, and briberie, which is evident by extraordinarie and suddane conqueists.

INSTRUCTIONS TO MRS JOHNE PRESTON, AND EDWARD BRUCE, COMMENDATAR OF KINLOSSE, HIS MAJESTIE'S COMMISSIONERS TO THE PRESENT GENERALL ASSEMBLIE.

Sessioun 10.

" *Inprimis,* Yee sall shew to the said Assemblie our good will to have all the kirks of Scotland planted with ministers, and sufficient livings appointed to them, to the great hurt of our owne rent, and that portioun of the thrids which was assigned to our hous, and our comptrollers in possessioun therof. But finding that the whole thrids are not sufficient to plant the whole kirks, nor yitt commodious to ministers to serve in one place, and have their livings to seeke in another, verie farre distant from their cure: Therefore, we thought good to sett fordward an order for locall stipends, founded upon the ground that all the kirks of Scotland sould have ministers, and all ministers stipends within their owne parishes, of suche valour, as, by our authoritie, on the one part, and concurrence and procurement of the kirk on the other, might be obteaned from the tacksment of tithes, present possessors of the said rent; for the which effect, we caused an act of parliament to be made in the yeere of God 1592, granting commissioun to certane noblemen, counsellers, officers, and ministers, on the other part, to treat and prosecute this mater; and als have givin command, in particular, to certan of our Lords of Exchecker, to helpe with their advice and labours, to bring this mater to some perfectioun, wherin, as we understand, there is some thing done, as a part of the brethrein can record; lyke as we, continuing in our good minde, in our tyme, to have the kirk settled tuiching their livings, and not intangled yeerelie with processes, and the whole kirks planted within this realme; by these presents, offer and promitt to the said Assemblie, to caus our commissioners, counsellers, and officers, to conveene presentlie before the expiring of this Assemblie, with the saids commissioners for the kirk, to beginne this good purpose, and to lay the ground, and sett doun the order, tyme, and place of conveening, to prosecute the same to the finall end, conforme to the act of par-

liament; so that the stay, if anie be, sall be in the part of the kirk, as it has beene of before, and not on our part.

"*Item*, Yee sall shew to them that it is a stay to this good worke, that by some of their preachings they would make the people understand that we and our counsell would stay the planting of kirks, aud take away the present livings possessed by ministers, albeit the contrare be of veritie, that we and our counsell are most willing that the whole kirks be planted, and the rent of the ministers be augmented, so farre as lawfullie may be obteaned, with consent of our nobilitie, and others tacksmen of tithes, whose rights, but order of law, we can not impaire. And, therefore, this forme of preaching discourageth our counsellers most willing to this worke, and is a heavie slander upon the ministers themselves, wherin yee sall desire order to be tane, that the like be not done in tyme comming.

"*Item*, Yee sall desire these your instructiouns in our name to be registred in the bookes of the Assemblie, as a perpetuall testimonie of our good will; and als that answeres in particular be givin by a generall voting of the whole Assemblie, and no wise to be referred to a privat conference; and the answeres so voted to eache particular heed to be registred in like maner therewith: and the extract of all these articles and answers to be delivered to you, to report to us again."

(*Sic subscribitur*) "JAMES R."

ARTICLES PROPONED BY THE COMMISSIONERS OF THE CONSTANT PLATT, TO BE ADVISED AND PAST IN ACTS BY THE GENERALL ASSEMBLIE.

Sessioun 12.

"First, It is thought requisite by the said commissioners, and craved, that the said Assemblie would ordeane, that the moderator of eache presbyterie within the countrie sould give presentations, *jure devoluto*, of all benefices of cure belonging to laick patronages within their bounds, that have not presented qualified persons with-

in six moneths after the deceasse of the last possessor therof: And siclyke, of these benefices which sall vaike heerafter, in cace the said patrons neglect to present within six moneths, to ministers serving, or that sall serve the cure of the saids kirks, under the paine of deprivatioun; and that the saids ministers accept their presentatiouns and persue them. And in cace there be not actuall ministers presentlie at the said kirks, in that cace, that the saids moderators deale effectuouslie with other qualified persons to accept the said presentatiouns, and to prosecute the same by law.

"That all beneficed persons, that are heere present in this Assemblie, be moved presentlie to interdyte themselves from all setting and disponing of anie part of their benefices to whatsomever person or persons, without the speciall consent and allowance of the Generall Assemblie, and the interdictioun to be subscribed by suche as are present, and others that are absent, urged by their presbytereis to doe the like, immediatlie after the dissolving of the Assemblie.

"Becaus the kirks in diverse places of the countrie susteane great hurt, through the laike of qualified persons in the ministrie instructed and trained up in the schooles of theologie; therefore, it is craved, that an act be made in this Assemblie, ordeaning everie Provinciall Assemblie to furnish a sufficient interteanement for a bursar in the New Colledge of St Andrewes, this 1596 yeere, and so furth, yeerlie, in all tyme comming; and that everie Provinciall Assemblie sall have the priviledge to present the said bursar, so oft as the place sall vaike. And in cace there be anie of the ministers' sonnes within the province of meete graces for the said place, that he be preferred to all others by the ministrie; and after the expiring of his course in the studie of theologie, that he be bound to imploy his travells within the province to the which his graces may be answerable; and that it be not leasome to the said bursar to imploy his travells in anie other place, except by the speciall advice and consent of the said province.

"Seing the necessitie of the commoun effaires of the kirk craveth that there be a continuall travelling and attendance at court, botl

for the furtherance of the present worke which is in hands, tuiching the planting of the kirks, as likewise of the continuall diligence of the enemie, waiting at all occasiouns, speciallie when they find anie slacknesse upon the part of the kirk, in the discoverie and resisting of the interprises of the said enemie: Therefore, it is craved, that a care and burthein of the commoun caus be layed upon some brethrein by the Generall Assemblie, ather of them that are residents heere about court, or ellis of some others to be appointed furth of diverse parts of the countrie; becaus, otherwise, there is none that find themselves in conscience bound to have anie care heerof, or to tak anie pains heerin."

To the first two articles the Assemblie answered, "It is agreed." To the Thrid, the Assemblie ordeans it to be moved in the provinces first. To the Ferd, appoints Mrs Robert Bruce, David Lindsey, James Balfour, and James Nicolsone with them, when he is present.

GREEVES TO BE HUMBLIE MEANED TO HIS MAJESTIE, IN NAME OF THE GENERALL ASSEMBLIE, BY THEIR COMMISSIONERS, TUICHING THE PRINCIPALL OFFENCES IN THE ESTAT OF THE COUNTRIE, THAT BY HIS MAJESTIE'S COUNSELL AND AUTHORITIE SUFFICIENT REMEDIE IN TYME MAY BE PROVIDED THERUNTO.

"First, It is humblie meaned unto his Majestie, that to the great hazard of religioun, and peace of the countrie, and greafe of all good men, the forefaulted rebells and enemeis of his Majestie's estat injoy their lands and livings als peaceablie, and to their greater advantage, than if they were at his Majestie's peace within the countrie; and their confederats and freinds, partakers and assisters with them and their treasonable attempts, are suffered in so great libertie, never having once so much as entered their persons in waird, nor givin suretie and pledges of their good and duetifull behaviour and obedience to his Majestie: incace it sall happin the said rebells, or anie other forraine enemeis, to repaire within the countrie, for disquietting of the estat therof, as if they had immu-

nitie and exemptioun from all lawes, to confirme themselves for strenthening the hand of the enemeis when they happin to arrive, as it appeares their intentioun is, by their preparation, force, and armour, and leagues of freindship which they are daylie binding up.

"Diverse Jesuits and excommunicated Papists are interteaned within the countrie, deteaning suche as they have perverted in their errours, and enducing others in the same corruptioun, and holding them in hope of the returning of the Popish lords, with assistance of strangers; and, namelie, Mr Robert Abercrumbie, Mr Alexander Mackquirrie, the Abbot of Newabbey, Johne Gordoun of Newton, the young Laird of Bonytoun, Mr Alexander Leslie of Peill, Patrik Con, Alexander Ramsay, and others diverse.

"That in manie places of the countrie, for laike of provisioun of sufficient stipends for provisioun of pastors, the people ly altogether ignorant of their salvatioun, and duetie to God and the king, wherethrough the land is overflowed with atheisme and all kinde of vice, there being above foure hundreth parish kirks destituted of the ministrie of the Word, by and attour the kirks of Argile and the Iles.

"It is regraited universallie by his Majestie's lieges, that through the delaying, perverting, and eluding of justice, murthers, oppressiouns, incests, adultereis, and all kinde of haynous crimes abound.

"It is to be heavilie meaned, that the brethrein of the ministrie that have gottin anie meane provisioun or helpe, by the assignatioun made, *anno* 1595 yeere, are delayed and frustrated of justice, by the Lords of Sessioun refusing to decide their suspensiouns, according to the act of Februar, 1587."

ARTICLES TO BE PROPONED TO HIS MAJESTIE FOR REMEDIE OF THE SAID GREEVES.

"For remeed of the former greeves, it is humblie to be craved of his Majestie, that the lands of the forefaulted rebells be dispouned to suche as are knowne to be most meete, and of best affec-

tioun to resist the enemeis of religioun, and of his Majestie's estat, both forraine and intestine; and in the meane tyme, that their livings be taikin up and intrometted with by his Majestie's officers, and imployed upon the interteanement of waiged men, and other necessar uses, for the maintenance and advancement of the good caus; and that the Ladeis of Huntlie and Erroll be charged to come south, and make their residence in St Andrewes, that they be no more a recept and encouragement to the enemeis, as they are presentlie, by their subtile forme of practise, which they have used this yeere bypast, to the confirming of their freinds and confederats, and intising of others whom they might seduce to their purpose, and opin violence against such as refuse to yeeld to their course; and that the Ladie Huntlie's eldest sonne be brought south, to be trained up in the knowledge of good letters and religioun; and that the Lairds of Clunie, Geight, Aberyeldie, Cowbardie, Craig younger, Alexander Hay of Auchmathie, Buckie, James Knolls, Cowie, Barclay, Patrick Con, and the rest of their principall freinds and confederats that have kythed with them in actioun, in their treasonable interprises against his Majestie, be charged to come south, and enter their persons in some speciall waird, there to remain, ay and whill they have found sufficient cautioun, under great summes, that they sall nather traffique, intercommoun, supplee, or interteane intelligence, nor give anie kinde of assistance to his Majestie's rebells, or anie other enemeis of religioun whatsomever, and give sufficient pledges for their sonnes and neerest freinds to that effect.

"That his Majestie give commissioun to some of his speciall servants, and others knowne to be of abilitie and good affectioun, to searche, seeke, apprehend, and present before his Majestie, Mr Robert Abircrumbie, Mr Alexander Mackquhirrie, the Abbot of Newabbey, Alexander Ramsay, the young Laird of Bonytoun, Alexander Leslie of Peill, Johne Gordoun of Newtoun, and others, Jesuits and excommunicated Papists, as their names sall be givin in a roll.

"That his Majestie would prosecute his good purpose and intentioun declaired before the Assemblie, tuiching the planting of the whole kirks within his countrie with qualified pastors, and sufficient provisioun of stipends for their interteanement; and for that effect, that he would give commissioun to the visiters nominated by the Generall Assemblie, to take inquisitioun of the estat of all kirks within the bounds of their visitatioun, and to deale with the tacksmen and possessors of the tithes, in his Majestie's name, for sufficient provisioun to ministers out of the rent of everie parish; and to report the same unto his Majestie's commissioners appointed for the worke of the platt in the act of parliament, and provide some honest moyen for interteanement of their charges in the journey.

"That his Majestie take order substantiouslie, by advice of his counsell and estats, how the principall judgement-seates, and other inferior judgements, may be purged of unqualified and corrupt persons, and filled with others meete to discharge that calling faithfullie, for the confort of his Majestie's peaceable and weill-disposed subjects.

"That his Majestie will command and ordeane the Lords of Sessioun to minister justice to the brethrein of the ministrie that have gottin anie augmentatioun of their meane stipends, or new provision, by the modifiers appointed by his Majestie's commissioun, 1595 yeeres, and that according to the act of Februar, 1587, as they are bound by their solemne oath and promise, seing the extraordinarie dearth urgeth them with so great necessitie, that unlesse his Majestie have consideration of their estat, they and their famileis will be drivin to extreme povertie and want."

In the sixt sessioun it was ordeaned, that an article be presented to the king, for establishing an act, annulling all tacks sett by ministers without consent of the Assemblie.

In the seventh sessioun it was ordeaned, that the act made at Dundie, concerning decisioun of controverseis among ministers, sould be extended also to readers; and that the paine of contumacie mentiouned therin be deprivatioun.

In the eight sessioun was givin this commissioun following, for visitatioun of kirks :—

A COMMISSION FOR VISITATION.

"Forasmuche as it being considered by the Assemblie and commissioners present, to be a thing most necessar that the most dangerous parts of the countrie, and where least or no planting is, a visitatioun sould be appointed to occurre to the dangers alreadie fallin out, or that may farther fall out, if they be not prevented; and for the better planting of the ministrie, where as yitt it is not planted: Therefore, the Assemblie has givin and committed, and, by the tenor heerof, gives and committs, their full power and commissioun to their loving brethrein underwritten, within the particular bounds after specified, according to the divisioun following, to visite and try the doctrine, life, diligence, and fidelitie, of the pastors within the presbytereis where they are established alreadie; as als in the bounds where as yitt no presbytereis are planted; and therin to take inquisitioun and tryell if there be anie beneficed persons of the ministrie not making residence, having no reasonable caus to purge the same; if there be anie that have dilapidated their benefices, sett tacks, or made to others dispositiouns of their benefices, or anie part therof, by the consent of the Generall Assemblie; anie slanderous, or unmeete to serve the kirk of God: And if anie suche be found, to proceed against him according to the qualitie of the said offence, according to the acts of the kirk, assuming unto them suche brethrein of the presbyterie where they make tryell as they thinke most zealous, sincere, and best affectioned to reformatioun, to assist them; with power alsua to depose suche as are worthie of depositioun by the acts of the kirk, and place others in their rowmes. And where no presbyterie is, the brethrein appointed to the visitatioun of these bounds to travell diligentlie to plant the ministrie therin, and to proceed in all the heeds above writtin, by themselves, with the like power of depositioun with the former, the particular tymes of their visitatioun to beginne as heer-

after sall be appointed; and generallie, in all things to proceed as the Assemblie might doe if they were present. That is to say, for the bounds of Orkney, Zetland, Cathnesse, and Sutherland, Mr Robert Pont, Mr Alexander Dowglas, minister at Elgine, Mr George Monro, elder, to beginne their visitatioun the first day of June nixt: For Rosse, Murrey, and Aberdeen, Mr James Nicolsone, Mr Peter Blekburne, Mrs James Melvill, Andrew Melvill, with the said Mr Alexander Dowglas, to beginne their visitatioun the first of August nixt: For Angus, Mrs James Balfour, David Lindsey, Andrew Muncreif, or anie two of them, to beginne their visitatioun the first of Julie nixt: For Kyle, Carict, Cuninghame, and bounds of Galloway, Mrs Robert Bruce, Patrik Schairp, Johne Spotswod, to beginne their visitatioun the first of Julie nixt, and the said Mr Robert Bruce's place in his absence to be suppleed by Mr Robert Rollock: For Nithisdaill, Annerdaill, Lauderdaill, Esdaill, and Ewisdaill, Mrs Johne Davidsone, Johne Johnestoun, William Scott, Johne Carmichaell, Johne Knox, and Johne Welshe, their visitatioun to beginne the first of August nixtocum; and ordeans the presbytereis which have no visiters appointed by this commissioun to be carefull in their owne visitatioun whill the nixt Assemblie; injoyning also the presbytereis out of which commissioners are tane to visitatioun, and what the saids commissioners doe in executioun of this commissioun, to report to the nixt Generall Assemblie of the kirk," &c.

[*Heere end all the sincere Assembleis Generall of the Kirk of Scotland, injoying the libertie of the Gospell under the free governement of Christ.*]

Becaus there was mentioun made in this last Assemblie of a constant platt, I have heere subjoynned a forme devised by Mr John Lindsey, one of the Octavians. Muche paines was taikin five or six yeeres bygane for planting of kirks, and diverse commissiouns givin by the parliament and the Generall Assemblie to that effect, and letters to deale with tacksmen and all titulars of tithes for ef-

fectuating a good constant platt. Mr Alexander Hay, Clerk of Register, held it an impossibilitie, as things stood in Scotland, to devise it; or, if it were devised, to effectuat it. But Mr Johne Lindsey holding it was possible, sett himself to devise the forme which heere followeth; but for the effectuating, died in the same opinioun that the other did.

THE NEW AND CONSTANT PLATT OF PLANTING ALL THE KIRKS OF SCOTLAND, PENNED, TO BE PRESENTED TO THE KING AND ESTAT, *in anno* 1596.

"Our Soverane Lord, with consent of his three estats in parliament, understanding that, by the law of God, it is expresselie commanded, as also for interteanement of religioun and God's service it is more nor necessar, that the ministers of his Holie Word have sufficient rents for their honest sustentatioun; considering also, that the rents and patrimonie which perteaned of old to the kirk is greatlie damnified and exhausted, by annexatioun of the whole temporalitie therof to his Hienesse' crowne, and by erectioun of a great part of the said temporall lands of the kirk, with diverse kirks and tithes included therewith, in new temporall lordships; and by the new fashioun of setting of long tacks of the said tithes for diverse nynteene yeeres and lyferents successive, for payment of small silver duetie, no wise equivalent to the halfe of the reasonable valour of the saids tithes; and by the pretended rights of so manie pensiouns, lyferents, assignatiouns, and other dispositiouns of the said tithes and duetie of tacks, and by his Majestie's right of the thrids, superplus, commoun kirks, first fruicts, and fyft pennie of everie benefice, rights and dispositioun of the same, proceeding from his Hienesse after his perfyte age, and from his Grace's predecessors, for the most part ratified in parliament; whereby there is no moyen left presentlie to augment the small stipend of a poore minister, albeit he had never so great necessitie, nor yitt to plant anie new minister at anie congregatioun, albeit the most part of all the parish kirks of Scotland are altogether destituted of all exercise

of religioun; and that there is a great number of ministers not provided, but waiting upon some speciall charge and vocatioun; lyke as a great number of good schollers of the youth of this realme, for the like povertie, is compelled to passe to France, to the great danger of apostasie from religioun, wheras, otherwise, they might be profitable to the kirk, and might be honestlie interteaned upon the said tithes, which tithes not onlie before the writtin law of God, and therafter, by expresse commandement of the same, but also by the consent of all nations, and speciallie of this realme, have ever perteaned to the kirk, whereby, of all reasoun, the kirk, having no other patrimonie, ought to be mainteaned in the right and possessioun of the said tithes, at least, ay and whill they be sufficientlie provided otherwise: Conforme to the which, diverse acts have beene made in parliament, that before the new provisioun of anie prelat, the ministers at the kirks and parishes united to the said prelacie sould be first provided to sufficient stipends, otherwise, the provisioun of the prelacie to be null: And likewise, in the tenth act of the parliament, holdin 1567, it is ordeaned, that the whole thrids be first employed to the use of the ministers, ay and whill the kirk come in possessioun of their owne patrimonie, which is the tithes: And also in the said act of annexatioun, and diverse others laudable acts, it is expresselie provided, that the ministers sould be sufficientlie provided of livings furth of the best and readiest of the spiritualiteis, and that they sould be provided in title to all small benefices; that they sould be provided to manses and gleebs, for their residence at their kirks, and that laick patrons sould provide qualified persons; which acts have not tane fullie effect, but, on the contrare, the livings of the said ministers left uncertanelie to be sought from yeere to yeere at his Hienesse' exchecker, out of the thrids, with infinite processe in law, by reasoun of the manifold dispositiouns of the thrids to other laick persons, proceeding from his Hienesse, as having right to the whole thrids, commoun kirks, superplus, fyft pennie, and temporalitie of ilk benefice; and by reasoun of the collatioun of benefices *pleno jure* to persons no wise qualified, contrare to the good meaning and inten-

tioun of the foresaid acts of parliament, to the utter wracke and destructioun of the kirk, by plaine povertie, as the professed enemeis of Christ would have done of old, if speedie remedie be not found.

"Therefore, his Hienesse, remembring that there is nothing more proper to his royall office nor to be the nourisher of the true kirk, and to be carefull of the advancement of the true religioun, and continuing therof to the posteritie, with consent of the estats in parliament, by the tenor of this act declairs, that the whole tithes of this realme, both of personages and vicarages, als weill united to prelaceis and other digniteis, as not united, and other tithes whatsomever, have perteaned in all tymes bygane, and sall perteane in all tymes comming, to the kirk, as their proper patrimonie. And of new, with consent foresaid, giveth, granteth, and disponeth, and perpetuallie mortifieth, the saids tithes of all personages and vicarages, and other benefices whatsomever within this realme, to the kirk, to remaine therewith as their owne proper patrimonie, conforme to the tenour of this present act, in all tyme comming; and, with advice foresaid, statuteth and ordeaneth, that the Lords of Exchecker, with suche of the ministrie as sall be appointed heerunto, being of equall number with the said lords, sall modifie and assigne, out of certane touns of everie parish, a certane quantitie of victuall of the teind-scheaves therof, and other duteis of the vicarage, as the nature of the ground may pay, with the manse and whole gleeb land, if the same remaine yitt unfewed. And if the said gleebe be fewed, foure aiker of the said gleeb, whether the same be of the parson's, vicar's, bishop's, pryour's or pryoresse's, deane's or subdeane's, abbeye's, or anie other kirk land, for the gleeb, as a locall stipend to everie parish kirk of this realme without exceptioun, for sustentatioun of the minister therat sufficientlie and honestlie in all respects, of the fruicts of the parish itself, notwithstanding the said kirks be annexed to prelaceis or other benefices, or not; doted to colledges or universiteis, or otherwise perteaning to old possessors of whatsomever degree, or to ministers newlie provided in title therto, at the king's presentatioun or laick

patron's; divided amongst manie prebendreis, deanreis, or chaplanreis, or not divided; commoun kirks, or other whatsomever qualitie or conditioun the said parish kirk has beene of, or by whatsomever maner of way the tithes therof have beene bruiked in times bypast, and notwithstanding all and whatsomever right his Majestie may have or pretend to the thrids, superplus, first fruicts, and fyft pennie of the said benefices; and notwithstanding of all pensiouns, tacks, assignatiouns, lyferents, erectioun of the said tithes, or anie part therof, in a temporall lordship, provisioun to prelaceis, or other benefices, uniouns, or divisiouns of the said parishes, and other dispositiouns of the said tithes, or anie part therof whatsomever, proceeding from his Majestie or his predecessors, after his or their perfyte age, confirmed in parliament with whatsomever solemnitie, or otherwise, to whatsomever castells, colledges, universiteis, or particular persons of whatsomever degree; and notwithstanding whatsomever other tacks, pensiouns, lyverents, fewing of the said tithes, with lands, and fewing of the said gleebs, and other dispositiouns whatsomever, made by prelats or beneficed persons, with consent of their chapters, to whatsomever particular persoun, colledge, or universitie, for whatsomever space of yeeres or yeerelie duetie, and notwithstanding the priviledge of the Lords of the Sessioun and acts of parliament, and other lawes bygane, uniouns, annexatiouns, and incorporatiouns of severall parish kirks to a prelacie or other benefice, or divisioun of the fruicts of a parish among manie prebendreis, or chaplains, or others; and notwithstanding all other impediments which anie wise may stay the full executioun of this present act.

"Declaring all and whatsomever the foresaids provisioun of benefices, uniouns, incorporatiouns, divisiouns, tacks, pensiouns, lyferents, erectiouns, and fewing of tithes, manses, gleebs, priviledges, acts, lawes, and constitutiouns former, and other dispositiouns whatsomever, of the said tithes, manses, and gleebes, proceeding from his Majestie, or his Majestie's predecessors, or whatsomever other beneficed person, with whatsomever solemnitie, to be null in tyme comming, in so farre as they may make anie prejudice to this pre-

sent act, and to the particular locall assignatioun of stipends, to be assigned to everie parish kirk conforme thereto, and to the full executioun therof, but anie other reductioun or declaratour of law. With power to the saids lords and ministers to take true tryell of the valour of the said tithes, and to appoint, ordeane, and assigne the saids perpetuall locall stipend at everie parish, out of suche speciall touns and lands of the said parishes, and to unite severall parishes in one, or dissever and seperat one in moe, with consent of the parochiners, and to make a speciall booke therupon; and generallie, to doe all things necessar for this effect. Which locall assignatiouns of stipends and tithes whatsomever, of the particular touns and lands to be specified therin, sall perteane als freelie to the minister of the said parish as if he had beene provided of old in title thereto; with power to the said minister to collect, gather, and intromett with, and to make wairnings and inhibitiouns against the possessors of the said tithes, manses, and gleebs, with als great effect as anie parson or vicar, or anie other beneficed person, might have done in anie tyme bypast, notwithstanding all impediments foresaids, and others whatsomever; but prejudice of the saids minister's rights to the whole remanent of the said benefice, when the same sall vaike and fall in their hands, by deceasse of the present possessors, reducing or expiring of tacks, or otherwise whatsomever, and of the free dispositioun therupon, as accords of the law, and conforme to this present act in all points.

"And for the better executioun of the premisses, our Soverane Lord, with advice foresaid, dissolves expresselie all and whatsomever uniouns of severall parish kirks to prelaceis, benefices of dignitie, and others, and suppresseth and abrogateth the name and stiles of the said prelaceis and digniteis, and units of new the tithes of everie parish where the same were divided of old amongst manie prebendars, chaplans, or others, in a whole benefice; and ordeans that ministers be provided in title to everie parish kirk in particular, which was before united to prelaceis now vacant, or which have vaiked in his Grace's hand, since the parliament holdin at Edinburgh, *anno* 1584, or which sall in anie wise vaike heerafter,

by demissioun, deprivatioun, or otherwise whatsomever; and to all other severall parishes vacant, both to the personage and vicarage therof, with the manse and gleeb of foure aikers of land, conforme to the former acts made anent the said gleebs and manses. At the which kirks the said ministers sall be oblished to make their residence, and sall have intromissioun with the fruicts therof, conforme to this present act, and booke of perpetuall modificatioun of the locall stipends to follow heerupon; and after their deceasse, dimissioun, or deprivatioun, the other qualified persons to be presented thereto by his Hienesse, and his Grace's successors, and by others having the right of presentatioun and patronage therof: And that no new prebendars sall be provided after the deceasse of the present possessors, but the rent to accresce to the living of the minister, conforme to this act, &c.

"And becaus it is most necessar that the saids locall stipends be of a certane quantitie, according to the nature of the ground, and out of certane speciall lands most ewest to the kirk, and commodious for the minister, that the minister may know of whom to crave his duetie: And seing it is impossible to the Lords of Checker to know what lands to appoint for payment heerof, by reasoun they know not nather the names of the lands, nor valour of the teind-scheaves, of everie particular toun and land within this realme: Therefore his Hienesse, with advice foresaids, ordeans that everie presbyterie within this realme, with advice of three barons or landed gentlemen, who have their residence within the said presbyterie, of good religioun, and least participant of kirk rents, chosin by advice of the Generall Assemblie, and failing the concurrence of the saids barons, that the saids presbytereis, by themselves, sall have power to estimat reasonablie the valour of tithes, both personage and vicarage, of everie particular toun and lands lying within eache one of the saids touns and parishes of their presbytereis, and of the commodiousnesse therof to the sustentatioun of the minister: Which estimatioun sall be published upon two severall Sundayes in tyme of divine service, in the said parish kirks, with provisioun, that whatsomever partie interessed in anie wise by the

said estimatioun, and please to compleane therupon, sall have most summar remeed before the saids Lords of Exchecker, after summar cognitioun of the caus betuixt the said presbyterie, and particular minister of the parish kirk, and generall procurator for the kirk; or others having interesse on the one part, and the said partie compleaner on the other part.

"Attour, becaus the dilapidatioun of the rents of the kirk has proceeded for the most part from the kirk men themselves, who had over great libertie to sett suche long tacks and fewes, and for suche dueteis as they pleased, the solemnitie of ordinar chapters serving not to restraine the said dilapidatioun, for which they were first instituted, but rather to authorize the same; which chapters for the most part be now worne away: Therefore our Soverane Lord, with advice foresaid, statuts and ordeans, that no minister or beneficed persoun sall have power to sett in tacke, or to make anie kinde of dispositioun, alteratioun, or change in anie wise the estat of the locall stipends of the parishes, with whatsomever consent or solemnitie; nather to sett new tacks, or to renew old tacks, of whatsomever other tithes of his parish, or anie part therof, or make whatsomever dispositioun of the same in tyme comming, without the consent of the whole or the most part of the presbyterie wherin the parish lyeth, at their ordinar day of conveening, after reasoning two former ordinarie dayes anent the equitie of the setting, renewing, or making of the said tacks and dispositiouns: And declaires, that the converting of victualls or other dueteis sall be expresse diminutioun of the rentall, and a caus of nullitie or reductioun. And for eshewing of antedating of tacks and rights of tithes, and of the infinit tyme for which the same is sett in tyme bypast, his Hienesse, with advice foresaid, ordeans that all and whatsomever tacks of whatsomever tithes sett in anie tyme preceeding the date heerof, for whatsomever longer tyme of manie nynteene yeere tacks or lyferents successive, sall endure onlie for the space of nynteene yeeres after the date of the said tacks; with provisioun, that whatsomever nynteene yeere tacks or lyferent of tithes, which has not begunne in the setter's tyme, sall be null, and

of none availl, albeit another nynteene yeere tacke or lyferent conteaned in that same tacke has begunne, or runne out in the said setter's tyme; and that all former tacks of tithes preceeding the date heerof, lyferents, assignations, pensiouns, erectiouns, fewes, and other dispositiouns of tithes, sall be produced before the Lords of Exchecker, before the * * day of * * nixtocum, and registred in the bookes of the collectorie: At the least, so muche of the said erectiouns and fewes to be registred as concerneth the right of tithes conteaned therin, and the date of the registratioun therof, and the person ingiver of the saids tacks and other rights to be registred therewith in like maner, and marked and subscribed by the collector clerk in the backe of the saids tacks and rights, for eshewing of all frauds which may be heerin: With certificatioun, that the tacks, and other rights of whatsomever tithes not registred, as said is, sall be null, and make no faith in judgement nor without: And that the imprinting or publicatioun of this act sall be sufficient intimatioun heerof, and of the certificatioun foresaid, without anie other speciall letters, &c.

"Moreover, becaus the ministers and other beneficed or laick persons, having the right of tithes of other men's heritage, oft tymes unjustlie trouble both themselves and the lawfull possessors of the said tithes with inhibitiouns and actiouns of spuilyie, whereby they compell them to hight their tithes above the reasonable valour: Therefore, our Soverane Lord, with advice foresaid, declairs and ordeans, that whatsomever person is lawfullie in the naturall possessioun of tithes, by leading and intrometting therewith, the heritage or present right of possessioun of the land being his owne, and makes good and thankefull payment within * * dayes after ilk terme of the duetie of the said tithes, conforme to the estimatioun abovewrittin, to be made by the presbytereis foresaids to the ministers, and others having right to the said tithes; in that cace, the said person sall be free of all actioun of spuilyie and danger which may follow upon inhibitioun led against him theranent: Providing alwise, that whatsomever person committ anie violence, in ejecting another furth of the naturall possessioun of leading of tithes, sall

be subject ather to the actioun of spuilyie, or to the quadruple of the estimatioun foresaid, at the optioun of the partie ejected, as said is. Like as also it is provided, that where the right both of the propertie and present right of the actuall possessioun of the land, and als of the tithes, concurre in one man's persoun, it sall be leasome to him to use inhibitiouns, and conforme to the old order, apprehend possessioun of his owne tithes, paying alwise the duetie and valuatioun therof to the minister, or others having right. In the which cace, the offer of the estimatioun foresaid sall be no relevant defence to rescind the naturall possessioun of the tithes of another person's heritage, and to eshew the danger of spuilyie in prejudice of him who has the right both of the lands and tithes, as said is, and in favour of him who has not present right to the actuall possessioun of another man's land, nor yitt of the tithes therof, &c.

"Attour, by reasoun that the said patrimonie of the kirk sould also susteane and uphold schooles and poore, with commoun effaires of the kirk, and other godlie uses: Therefore, our Soverane Lord, with advice foresaid, statuts and ordeans, that a perfyte rentall be made of the superplus of the rents of everie parish kirk, by and attour the foresaids locall stipends, conteaning the rights by the which the superplus of everie benefice is possessed: And that the minister, albeit he be provided in title to the whole benefice, and have the collectioun of the whole fruicts therof, and libertie to reduce tacks or fewes, as anie other beneficed person might have done of before, yitt the saids ministers sall not have the free dispositioun of the said superplus to their owne use, but sall be comptable therefore to them who sall obteane the right therof: And incace of their failyie in thankefull payment, or committ violence, they sall be subject to the danger of spuilyeis, double or quadruple of the estimatioun foresaid, siclyke as others that make not payment thankefullie to the said ministers themselves, conforme to the former article.

"And as for the said superplus of the rent of everie particular parish kirk, by and attour the locall and perpetuall stipend appointed for the minister, which superplus ather presentlie perteaneth to

the kirk, by vaiking of the benefice or otherwise, or sall heerafter perteane or fall in the kirk's hands, by expiring or reductioun of tacks and other rights, deceasse of the present possessors, or otherwise whatsomever: Our Soverane Lord, with advice foresaid, ordeans and statuts, that the said superplus sall be dispouned by advice of the Lords of Exchecker, and brethrein of the ministrie appointed for modificatioun of ministers' stipends, first to the colledges and Lords of Sessioun, and old possessors of the benefices induring their lyfe times, for so muche as sall be tane from them by the present order. Nixt, that the commoun effaires of the kirk be sufficientlie susteaned therupon. Thridlie, that reasonable consideratioun be had of the poore, of strangers, wedowes, and orphans, reparatioun of bridges, kirks, hospitalls, and other godlie workes; and if there be anie rest, the same sall be collected and keeped to the use of the kirk, and at their dispositioun allanerlie; and whatsomever particular person, colledge, or other, sall obteane assignatioun of anie part of the superplus, by the saids lords and modifiers, their said assignatioun, and letters therupon, sall be speciallie in quantitie, and out of what touns and lands the same is assigned: And the saids letters sall be speciallie directed against the tenents and actual possessors of the saids particular lands, and the minister of the parish allanerlie, so that no letter in tyme comming be directed generallie against all and sindrie parochiners, &c., and of the best and readiest of the fruicts, where the right wherupon the letters passe extend onlie to a part of the fruicts, and not to the whole fruicts of the parish, as was of before, which was the occasioun of great confusioun.

"And becaus the prelaceis in effect were before dissolved, the whole temporaliteis therof being annexed to the crowne, and ministers' stipends ordeanned to be tane out of the parish kirks united and incorporated therewith: Lyke as, by this order, the whole spiritualitie and tithes are of new destinated, givin, and mortified to the kirk, whereby the saids prelaceis are alluterlie dissolved, and so ceasse in tyme comming to be one of our estats in parliament: Therefore, our Soverane Lord, with advice foresaid, statuts and or-

deans, that, in tyme comming, everie presbyterie sall send of their owne number a commissioner to the parliament, out of the which whole number of commissioners the rest of the estats sall choose so manie as, being joyned with the old possessors of the prelaceis who sall be present for the tyme, may make out the full and compleat number of them who have vote in parliament for the estat of the kirk, which number sall be equall with the number of anie of the other estats; and after the deceasse of the whole present possessors of prelaceis, the whole number of the kirk's estat sall be elected and tane of the said commissioners of the presbytereis, who sall have suche vote, priviledges, and liberteis in parliament, as the said prelats had of before, &c.

"And to the effect that the right of no parteis be further prejudged, our Soverane Lord, with advice foresaid, ratifieth all acts and statuts made of before in favour of the kirk, in so farre as the same agrees, or may in anie wise fortifie this present act; and speciallie, the act by Secreit Counsell, Sessioun, or Exchecker, upon the 14th of Februar, 1587; and in like maner, all acts and statuts made in favour of fewes, tacks, patronages, pensiouns, erectiouns, and other dispositiouns of the kirk rents, in so farre as they are not contrare or anie wise repugnant to this present act, or full executioun therof. Which acts, together with all and whatsomever rights perteaning to privat persons and parteis, suche as fewes, provisioun of their benefices, erectiouns, tacks, lyferents, pensiouns, patronages, assignatiouns, and dispositiouns whatsomever of the tithes, sall stand in the same force as of before the making of these presents, excepting plainlie in so farre as they are expreslie prejudged by the said locall stipend to be appointed to everie particular parish, conforme to the tenour of this present act, and booke of particular modificatioun to follow therupon, and others provisiouns and restrictiouns expresselie conteaned heerin; lyke as our Soverane Lord, with advice foresaid, abrogateth all former lawes, acts, constitutiouns, practicks, and ordinances whatsomever, which may in anie wise hinder, stoppe, or impede this present act, and full force and executioun therof; and declairs whatsomever sall be done in

the contrare therof, or anie part of it, the failyie and contraventioun sall be tryed, and the right dispositioun, or other deid whatsomever, done contrare to the tenour heerof, sall be reduced and annulled, als weill by way of exceptioun, reply, or duply, as by way of actioun; lyke as our Soverane Lord, with advice foresaid, commands that no judges remitt to an actioun, or delay the proponer of the said nulliteis, by way of exceptioun, reply, or duply, but proceed instantlie to the tryell of the said nullitie, as said is.

"Attour, becaus there are diverse and sindrie persons who presentlie bruike the rents of everie parish kirk, our Soverane Lord, with advice foresaid, ordeans that the quantitie of the locall and perpetuall stipend sould be equallie tane from everie one of the saids persons proportionallie, at the least, everie one to releeve others proportionallie, according to the free profite which they receave of the saids tithes, at the discretioun and summar cognitioun of the said modifiers, who sall be onlie judges heerin, and sall try, judge, and cognosce, summarilie, upon the equitie of the releefe betuixt the possessors of the saids tithes; suche as where there is a prelat, or old provided man, one or moe tacksmen or pensioners, new erected lordships, with tithes included, with the fewes of lands, fewes of fermes, and whatsomever other varietie there is of rights, by the which the possessor of the tithes of everie parish respective bruiketh the same; and what releefe the rest ought to make them from whom immediatlie the rights of the tithes are tane, which sall be assigned for the perpetuall locall stipend of everie parish kirk; wherin also sall be considered the right which our Soverane Lord had to the thrids, or anie other parts of the benefices, together with suche other actiouns, for the which his Majestie might have charged the possessors of the said tithes; lyke as also, the saids Lords of the Exchecker, in making of the said releefe, sall consider immuniteis, priviledges, and rights, which parteis had of before, and validitie therof, with all other circumstances, *ex æquo et bono*. And for this effect, our Soverane Lord, with advice foresaid, giveth power to the saids Lords of Exchecker, and ministers speciallie to be appointed by his Hienesse' commissioun, being alwise equall in

number with the saids lords, to interprete all obscuriteis, and to decide summarilie all controverseis which sall arise upon this present act, and upon the foresaid releefe, betuixt all parteis subject therto."

This platt was thought the best and most exact that ever was devised or sett doun, and, some little things amended, would have beene gladlie receaved by the brethrein of best judgement, if, in the moneth of August after following, there had not beene an act of the estats devised, tuiching the renewing of the tacks of tithes to the present tacksmen, for their granting to the present platt, which in effect made the tithes in all tyme comming heretable to them, their locall stipend, and a portioun to the king sett aside in everie parish; to the which nather the kirk, nor gentlemen whose tithes were in other men's possessioun, could nor would condescend to. And so, the said Mr Johne, cheefe in this worke, gave it over, as a thing not like to be done in his dayes.

In the last Assemblie it was ordeaned, that in everie Synodall throughout the land, the covenant betweene God and his ministrie within this realme sould be renewed. How this was performed I am to take the Provinciall of Fife, holdin at Dumfermline, the 12th of May, for an exemple. Mr William Scott, presentlie minister at Cowper, made a notable exhortatioun. Mr James Melvill was chosin Moderator. It was thought needfull that all meanes sould be used, that might move and stirre up the hearts of the brethrein; and so, the articles of reformatioun sett doun in the last Assemblie were distinctlie read in the publict audience of the Assemblie, and the articles ordeaned to be insert in the booke of the synod, and everie presbyterie commanded to have the copie therof in their bookes, and everie one of their members were ordeaned to extract to themselves a copie therof for their remembrance. Nixt, for preparatioun of their hearts, the pastor of the toun, David Fergusone, is ordeanned to keepe his owne place and houre of doctrine the day following, and to frame his doctrine for the purpose, and Mr David Blacke ordeaned to teache the nixt day therafter; and in the meane tyme, earnest exhortatioun was made by the mode-

rator, to weygh the mater and worke they were about, most deepelie and earnestlie with their God and their conscience, and to pray earnestlie for the brethrein appointed to teache.

Mr David Blacke taught upon Thursday, the 13th of May, upon the 13th chapter of Ezechiel, and the last verse of the 50th Psalme. He was copious, powerfull, piercing, and pertinent. The brethrein of the ministrie, and commissioners of everie parish, conveenned immediatlie after sermoun, in place of the synodall. The moderator, for better disposing of their hearts, handled the last chapter of Josuah verie movinglie, with great abundance of teares. The exemple and forme of that chapter was followed point by point, first, by commemoratioun of the benefites of God bestowed upon the Kirk of Scotland, in planting and guarding the same from the Castellans, the Aubignists, Balaamitish bishops, and the late conspiracie of the Popish erles. Then he spake of their unthankfulnesse and their unduetifulnesse in their charges, with suche motioun, that all were forced to fall doun before the Lord, with sobs and teares in abundance, everie man mightilie commoved, and in privat meditatioun ryping up their wayes, acknowledging their unworthinesse, and craving grace for amendiment, and that for a long space. The moderator therafter made opin confessioun, in name of the rest, of unthankefulnesse, forgetfulnesse, unduetifulnesse, negligence, coldnesse, hardnesse of heart, darkenesse, senselessnesse, instabilitie, vanitie of minde, stubburnnesse, and rebellioun of will, unsavourinesse and follie of speeche and of conversatioun fashiouned after the world, &c. Finallie, trembling and weeping for the misusage of so honourable a calling, and quaiking for feare that suche a weight of wrathe was lying over their heads, for the blood of so manie soules belonging to their charge, all bitterlie weeped, and sought grace of God for amendiment. After this confessioun, the moderator entered again upon the conference of Josuah with the elders and rulers: and so, after diverse other points of doctrine, admonitiouns, and exhortatiouns for the purpose, by lifting up of the hand, everie man testified before God, and mutuallie one to another, the sincere and earnest purpose of the heart, to studie to

amend and serve God better in tyme to come, both in their privat persons, and in the great office of the ministrie, &c. And, last, the moderator spake upon these words, "Yee are witnesses this day against yourself," &c., the which he applyed to the present purpose. And so, by their owne consent, it was agreed, that a minute and summe of the whole actiouns sould be insert and registred in the booke of the Assemblie, there to remaine for their admonitioun and remembrance during their tyme, and for exemple to the posteritie. Therafter, the moderator remembring of the defectioun mentiouned soone after the death of Josuah, and the fathers and elders that had seene the works of God in their dayes, for preventing of the like defectioun, and fastening of this new covenant the more firmelie in the hearts of all the brethrein of smaller age, required certane godlie fathers and zealous brethrein to speeke as they had seene, and heard, and helped to doe in the great worke of God, in planting and preserving the Gospell, and libertie of Christ his kingdome, with sinceritie in the land. First, he desired Mr Johne Davidsone, a zealous grave father, directed, with Mr Patrik Symsone, by the Generall Assemblie, to visite that Synod, that he might utter what he thought good.

"I have seene," said he, "from the beginning, when the Frenchemen keeped the Abbey, before the Road of St Johnstoun and Cowper Moore, and saw the forces of the Papists ryding to both against the Congregatioun; but our brother and father there, David Fergusone, was an actor, when I was but a spectator, and, therefore, it were good his judgement were first heard."

David Fergusone being desired, spake verie pleasantlie and confortablie, of the beginning and successe of the ministrie, namelie, how that a few number, viz., onlie six, wherof he was one, so mightilie went fordward in the worke, without feare and care of the world, and prevailed, when there was no name of stipend heard tell of; when the authoritie both ecclesiasticall and civill oppouned themselves, and skarselie was there a man of name and estimatioun to take the caus in hand, etc. But now, the feare or flatterie of men, care of purchassing, or feare of losing of moyen and stipends,

had weakenned the hearts of a number of ministers: and, therwithall, he made an exhortatioun meete for the purpose.

Mr Johne Davidsone subjoyned, and compared the new temple with the old. Mr Patrik Symsone followed, and reproved the foolish and unsavourie speeches of ministers evin at tables, in opin audience. Mr David Blacke exhorted powerfullie everie man to attend upon their owne charge in a new maner. Mr Andrew Melvill, insisting on the feare of defectioun, warned the brethrein of a late experience of a great weakenesse and slydding away, when the holie discipline was persecuted, and sought to be overthrowne: how manie, for feare of the want of their stipend onlie, were brought to a sort of denying Jesus Christ, by subscribing the acts of parliament, *anno* 1584: what sall be looked for, if the Spaniards, who had latelie taikin Calice, sould transport themselves in few houres into our firth, and assay our constancie, with fyne and exquisite torments of their Inquisitioun, upon the which peece of service, our excommunicated and forefaulted lords were attending? [He] exhorted them to fixe this present actioun and covenant in their memoreis. The moderator ended with earnest prayer for grace to pay their vowes they had made. The Assemblie was dimissed about foure after noone, als full of spirituall joy in the soule, as emptie of corporall foode, through that daye's abstinence. Everie brother glorified God for that actioun, amongst all other that ever they had beene partakers of.

As for exemple of presbytereis, upon the penult Thursday of Julie, the covenant was renewed in the Presbyterie of St Andrewes, by a verie frequent assemblie of gentlemen and burgesses prepared for the purpose before by their ministers in everie parishe. The covenants of Ezra and Nehemiah, which they made with the people after their returne from Babylon, which, with fasting and prayer, were made, writtin, sealed, and sworne, were read distinctlie; and conforme to these heeds, doctrine, and exhortatioun used; and after meditatioun, in privat and publict prayer, by holding up of hands these vowes were made: 1. The exercise of reading the Word, prayer, catechizing of childrein, servants, and famileis. 2.

The resisting of all enemeis of religioun. 3. The planting of the ministrie within their parishes, according to their abilitie. 4. To take order with the poore, that there be no vagabound beggers. 5. To keepe better publict conventiouns, and to discharge offices and commoun dueteis, for the weale of the kirk and countrie.

Therafter, the barons and gentlemen conveenned in the place of the presbyterie, and understanding that there was word and appearance of the Spaniards, and the quiet returne of the excommunicated erles, they offered themselves verie freelie for resistance, and named their captans of horsemen and footmen, and sett doun an order tuiching the armour and provisioun.

The covenant was renewed likewise in the parishes; howbeit, it is not to be omitted, that the kirk of Edinburgh omitted this actioun, and a fearefull desolation followed, as we sall heare.

We wanted not a remarkable effect of this fasting. Thowsands had died for hunger, if God had not extraordinarilie provided victualls out of other countreis, in suche abundance, that by the estimatioun of the customers and men of best judgement, for everie mouth that was in Scotland there came in at least a boll of victuall.

This sommer the king sent the Lord Ogilvie and Mr Peter Young to Denmark, to the mariage and coronation of the king.

The king was in a great chaffe at Mr Robert Bruce, for the convoy he had when he was last in the west countrie, in the moneth of Julie, at a visitatioun of the kirks there, which was layed upon him by the last Generall Assemblie. He vowed he sould want his head, alledging he was upon the counsell of bringing in of Bothwell, becaus he said in pulpit, that if the king brought in God's enemeis, God would bring in his enemie; when as, notwithstanding, Bothwell was upon the conspiracie with the tratours.

About the end of August, or beginning of September, the king called a conventioun of the estats to Falkland. They were suche as by favour and freindship were nearest joyned to the excommunicated erles. Alexander Setoun, then President of the Sessioun, afterward Chancellor, made a prepared harangue, to perswade the

king and estats to call home these erles, least, lyke Coriolanus the Roman, or Themistocles the Athenian, they sould joyne with the enemeis, and creat an unresistable danger to the estat of the countrie. Diverse of the ministrie were writtin for to that conventioun, but suche as the king could dresse for his purpose. Mr Andrew Melvill, being a commissioner appointed by the Generall Assemblie to see to the dangers of the kirk at all occasiouns, came thither, and presented himself with the rest. When the king and estats were sett doun, the ministers were called on by name. Mr Andrew was omitted, but he came in with the formest. The king finding fault with him, that he came there uncalled, he answereth, "Sir, I have a calling to come heere from the King, Christ Jesus, and his kirk, who has speciall interest in this turne, and against whom this conventioun is directlie assembled; charging you and your estats, in the name of Christ and his kirk, that yee favour not his enemeis whom he hateth, nor goe not about to call home, and make citicens, these who have traterouslie sought to betray their citie and native countrie to the cruell Spaniard, with the overthrow of Christ's kingdom;"—and breaking on in particular upon the greatest part of that conventioun, with plaine speeche and mightie force of zeale, challenged them of the treasoun both against Christ and the king, and kirk and countrie, in that purpose and counsell they were about. The king interrupted him, and commanded him to goe out; whose command he obeyed, thanking God that he had gottin his message discharged. Mr James Melvill, Mr David Lindsey, Mr James Nicolsone, Mr Patrik Galloway, remained, heard all, spake in the contrare; adhered in effect to that which Mr Andrew had uttered. In end, the estats conclude, that the king and the kirk being satisfied, it were best to call them home, and that his Majestie sould heare their offers for that effect.

The queene was delivered of a maid childe upon the 19th day of * * at Dumfermline. The baptisme was appointed to be celebrated the 28th of November, at Halyrudhous, but without solemnitie. So she was baptised upon the 28th of November. Mr Bowes, English ambassader, holding her up as witnesse for Queene

Elizabeth, named her Elizabeth. So she was proclamed by the Lyoun Heralds, "Ladie Elizabeth, the first Daughter of Scotland." The rest of the witnesses were the Duke, the Proveist and Bailiffes of Edinburgh. Manie of the nobilitie were absent, by reasoun of the winter seasoun.

In the moneth of September, the commissioners of the Generall Assemblie, with diverse others good brethrein, conveened at Cowper; and understanding certanelie of the returne of the Popish lords, and of their platts, purposes, and businesse, with their favourers and assisters, thought good to direct certane of the brethrein there present to the king, being in Falkland, to meane the mater to him, and crave a discharge of his duetie; namelie, that seing, without his licence and knowledge, as was certified to the kirk by his Majestie's ministers, these rebells were come home, and were about to make insurrectioun in the countrie, their dangerous endeavoures sould be maturelie prevented by his Majestie his authoritie and power: also, that there sould be a meeting again of the brethrein in Edinburgh, in the moneth of October following. So, Mrs Andrew Melvill, Patrik Galloway, James Nicolsone, and James Melvill, came to Falkland, where they found the king verie quiett. The rest layed upon Mr James Melvill to be speeker, alledging he could propone the mater substantiouslie, and in a mylde and smooth maner, which the king liked best of. And entering in the cabinet with the king alone, Mr James shew his Majestie that the commissioners of the Generall Assemblie, with certane other brethrein, ordeaned to watche for the weale of the kirk in so dangerous a tyme, had conveened at Cowper. At the which word the king interrupted him, and crabbitlie querrelled their meeting, alledging it was without warrant, and seditious, making themselves and the countrie to conceave feare, where there was no caus. To the which, Mr James, beginning to reply in his maner, Mr Andrew could not abide it, but brake off upon the king in so zealous, powerfull, and unresistable a maner, that howbeit the king used his authoritie in most craibed and cholerick maner, yitt Mr Andrew boore him doun, and uttered the commissioun as from the mightie

God, calling the king but God's sillie vassall, and taiking him by the sleave, sayeth this in effect, through muche hote reasoning, and manie interruptiouns: "Sir, we will humblie reverence your Majestie alwayes, namelie, in publict; but since we have the occasioun to be with your Majestie in privat, and the truthe is, yee are brought in extreme danger both of your life and crowne, and with you, the countrie and kirk of Christ is lyke to wracke, for not telling you the truthe, and giving you a faithfull counsell, we must discharge our duetie therin, or ellis be tratours both to Christ and you. And, therefore, Sir, as diverse tymes before, so now again I must tell you, that there are two kings and two kingdomes in Scotland: there is Christ Jesus, and his kingdome the kirk, whose subject King James the Sixt is, and of whose kingdome not a king, nor a head, nor a lord, but a member; and they whom Christ has called, and commanded to watche over his kirk, and governe his spirituall kingdome, have sufficient power of him, and authoritie so to doe, both together and severallie, the which no Christian king nor prince sould controll and discharge, but fortifie and assist, otherwise, not faithfull subjects, nor members of Christ. And, Sir, when yee were in your swedling clouts, Jesus Christ raigned freelie in this land, in spyte of all his enemeis; and his officers and ministers conveened and assembled, for the ruling and weale of his kirk, which was ever for your weelefare, defence, and preservatioun: also when these same enemeis were seeking your destructioun and cutting off; and, in so doing, by their assembleis and meeting sensyne, continuallie have beene terrible to these enemeis, and most stedable for you. And will yee now, when there is more nor necessitie of the continuance and faithfull discharge of their duetie, (drawin to your owne destructioun, by a devilish and pernicious counsell,) beginne to hinder and dishaunt Christ's servants, and your best and most faithfull subjects, querrelling them for their conveening, and care that they have of their duetie to Christ and you, when yee sould rather commend and countenance them, as the godlie kings and good emperours did? As to the wisdom of your counsell, which I call devilish and pernicious, it is this; that yee must be served

with all sorts of men, to come to your purpose and grandour, Jew and Gentile, Papist and Protestant. And becaus the ministers and Protestants in Scotland are over strong, and controll the king, they must be weakenned and brought low, by stirring up a partie to them, and the king being equall and indifferent, both sall be faine to flee to him. So sall he be weill served. But, Sir, if God's wisdome be the onlie true wisdome, this will prove meere and mad follie: for his curse can not but light upon it, so that, in seeking of both, yee sall losse both; where as, in cleaving uprightlie to God, his true servants sould be your sure freinds, and he sould compell the rest counterfootedlie and leinglie to give over themselves, and serve you, as he did to David."

These things, and manie moe, were spokin by occasioun in conference, with great libertie and vehemencie, till at last the king sattled, and dimitted them pleasantlie, with manie attestatiouns, that he knew not of the Popish lords' home comming till they were in the countrie. And howbeit the estats had licenced them to make their offers, they sould not be receaved, till they themselves were furth of the countrie again; and offer what they would, they sould gett no grace at his hand, till they satisfied the kirk.

The tyme was drivin over. They remaine still in the countrie, and travelled with the ministers by their freinds, for reconciliatioun, that they might remaine with the greater securitie. Henriett, Countesse of Huntlie, made some offers in her husband's name to the Synod of Murrey, the tenor wherof followeth:—

THE OFFERS PRESENTED BY THE LADIE HENRIET STEWART, COUNTESSE OF HUNTLIE, HAVING COMMISSION FROM HER HUSBAND IN HIS ABSENCE, TO THE SYNODALL ASSEMBLIE OF THE PRESBYTEREIS WITHIN THE DIOCESE OF MURREY, CONVEENNED IN ELGINE, THE 19TH DAY OF OCTOBER, 1596.

"In the First, Hearing and having intelligence that your Wisdoms heere conveenned, and remanent of the kirks of this realme,

have beene in tyme past, and as yitt remaine evill informed, by suggestioun and misreports of my lord and spouse, that he sould be a traffiquer with strangers since his departure out of this realme, in prejudice of the religioun presentlie professed in the same, and of the estat of his native countrie, I, as having commissioun, in his name offer not onlie to make his purgatioun of the sinister reports of him above writtin, but also, that he sall abide and submitt himself to all lawfull tryell theranent; and if he be found culpable and guiltie therof, to suffer and underly the censures of your Wisdoms, King, and Counsell.

"Secundlie, I offer, that he sall make sufficient securitie, nather to attempt, assist, nor devise anie things in tyme comming, tending to the alteratioun or inversioun of the religioun presentlie professed within this realme.

"Thridlie, [I] offer, that he sall banish and eject from his companie and societie all Jesuits, Seminarie preests, excommunicated persons, and notorious knowne Papists.

"Ferdlie, He is and sall be content to intercommoun with whatsomever of the ministrie your Wisdoms and whole kirk sall appoint; and incace he may be moved by good arguments and reasouns, and thereby perswaded in his conscience to leave the religioun presentlie professed by him, he sall embrace the religioun professed within this realme.

"Fyftlie, Offers that he sall receave an ordinar minister in his companie, for his better instructioun, on his owne charges; and in the meane tyme, sall keepe good order.

"Sixtlie, For better assurance of his good meaning, he is content to assist your discipline, in punishing vice.

"Seventhlie, In consideratioun of the premisses, I will desire your Wisdoms to give and concord a reasonable tyme, wherin my lord, my spouse, may be resolved in his conscience; and that it may please your Wisdoms to shew him that favour, to absolve him from the processe of excommunicatioun, and that he may have, by your mediatioun and interceeding, his Majestie's favour and oversight to remaine within the countrie untroubled, during the

tyme of the conference. And for your perswasioun in the premisses, I offer in his name, that he sall make sufficient securitie for observing of the articles above writtin; and in testimonie of his good intentiouns, sall assist the planting of ministers in the kirks desolate within his bounds."

These articles were presented by the barons underwrittin; Sir Walter Ogilvie of Finlatour, knight, Robert Inneis of that Ilk, Sir Johne Gordoun of Pitlurg, knight, William Sutherland of Duffus, Johne Urquhart of Tullo, Tutor of Cromartie.

Thus subscribed, HENRIETT, *Countesse of Huntlie.*

Upon these offers, the Popish erles were suffered to bruike the countrie, yea, their owne houses and livings, till the moneth of May therafter.

The commissioners of the Generall Assemblie, and from diverse synods, conveenned at Edinburgh upon the 20th day of October; and after incalling of the name of God, entered in consideratioun of the dangers of the kirk, arising of the returne of the forefaulted excommunicated erles within the realme, and what remedeis might be devised for preventing therof, determined to write to all the presbytereis within this realme, in forme as followeth:—

"*The Spirit of the Lord Jesus strenthen you against the day of triell to fight a good fight valiantlie, that yee may receave the crowne of glorie at the appearance of that great Pastor.*

"RIGHT DEERE AND WEILL-BELOVED BRETHREIN,—The neere approaching of these great dangers, which a long tyme have beene threatned against the true religioun and professors therof within this countrie, hath moved us at this tyme to assemble ourselves at Edinburgh, the 20th of this instant, and to enter in a deepe consideratioun, both of the dangers, and likewise of the most expedient remedeis to be used of us in so dangerous a tyme, when as the enemeis of the truthe have had libertie, without controlment, to returne and remaine within the countrie, for accomplishing their whole wickednesse, according to their old intentiouns; wherancnt

we have thought it necessar to communicat with you the summe of our conclusiouns, requeisting you earnestlie to consider the same, as apperteaneth, and to conforme your selves therunto, as yee would shew your selves zealous and carefull of the caus of God, and of the weale of this his inheritance concredited to you.

"The commissioners of the Generall Assemblie, after incalling on the name of God, having tane earnest inquisitioun of the heeds underwrittin, have found by certan and evident arguments and prooffe, that the Erles of Huntlie and Erroll are returned, and resident within the countrie.

"That they have no warrant or approbatioun of their returning from his Majestie, (as his Majestie constantlie affirmeth;) wherethrough it appeares, that ather they have a secreit force within the countrie, whereby they thinke themselves able, according to the grounds of their old crueltie, to massacre suche of the principall noblemen, barons, cheefe favourers of the good caus within burghes, and ministers, as might principallie impeshe their godlesse course, that therafter they might the more easilie accomplish their whole iniquitie; or ellis they are assured of the assistance of strangers, whereby they may in opin battell beare furth the caus.

"Siclyke, that they have had accesse by their freinds, favourers, ladeis, and agents, to deale for their peace at all occasiouns, as they have thought good, and have used exceeding great diligence therin, both with the king and queen's Majestie, and likewise with the counsell, and diverse of the nobilitie and barons, all tending to that end, that they might have libertie to returne, and injoy their livings peaceablie within the countrie; nather acknowledging their offences, in their treasonable dealings against the estat of the realme, nather the offence of their apostasie, but standing to their honestie and good conscience both in the one and the other; whereby it is evident, that the hazard both of the religioun and quietnesse of the countrie is no lesse yitt, incace their travells and credit effectuat their peace, (as they intend it sall,) nor it was in the tyme of their excommunicatioun and forefaultrie, seing the causes of both stand yitt unremoved by them, and unacknowledged for offence.

"*Item*, That they have obteaned an act of counsell made in their favours at Falkland, and ratified in Dumfermline, ordeaning licence to be granted to them for their returning, and remaining within the countrie, upon suche conditions as sould be proponned by his Majestie and counsell, to be performed of them.

"As likewise, diverse of their freinds and favourers are found to vaunt verie proudlie, that they have procured alreadie his Majestie's protectioun and peace, past and subscribed in counsell; and that they are encouraged to looke assuredlie for advancement to office, charge of guardes, and lieutenantreis, as they have had of before. The which is probable, and muche to be feared.

"Where through it is manifest, that as in tymes past, by their traffique and godlesse practises the estat of religioun has beene extremelie perelled by the imbringing and maintenance of Jesuits, Papists, Seminarie preests, traffiquers with forraine enemeis, erecting of masses, perverting of sindrie professors of the truthe, treasonable dealing with the King of Spaine and other enemeis of the kingdom of Christ, for overthrowing of the truthe within the countrie, and likewise, by these same meanes, and diverse roads which they have made, and intended to make, and by roads and taxatiouns made by his Majestie and lieges, upon occasioun of their treasouns, the countrie has beene oppressed and impoverished, his Majestie's owne person and crowne endangered, the lives of good men in all estats, speciallie suche as were knowne the speciall favourers and mainteaners of the good caus, sought by all meanes directlie, as brake out evidentlie in the cruell murther of Dinnybrissell, and would doubtlesse have kythed farther against manie others of the nobilitie, barons, burrowes, and ministers, if the Lord, in his great mercie, had not resisted and disappointed their bloodie intentiouns. So of necessitie, as yitt, seing there remaines in them the same dispositioun and ground of caus, wherupon their whole mischeefes have proceeded, the same effects must follow their credit, peace, and advancement, to the subversioun of religioun, wracke of the countrie, hazard of his Majestie's

estat and person, and of the estat and lives of all good men within the land."

REMEDEIS.

"For remeed wherof, first, it is thought necessarie that all presbytereis within the countrie be particularlie acquainted with the danger foresaid, and made to apprehend the same deepelie, as it is, that therafter they may sett themselves the more effectuallie to use all convenient meanes for preventing therof, and that everie minister within the countrie be carefull als weill in his doctrine publictlie, as in his privie conference, to conforme the whole professors of the truthe therof; and to bend his doctrine and prayers to that end, that they may apprehend the danger deepelie, and be stirred up zealouslie to seeke of God in their prayers, the turning away therof; and to be disposed, and in full readinesse to resist it at their whole power, als farre as lawfullie they may of their calling.

"Nixt, that there be a publict humiliatioun throughout the whole countrie, to be keeped the first Sabboth day of December nixt, 1596; and the causes therof to be, the said danger, which everie one sall inlarge, according to the grounds foresaid.

"That there be an universall amendiment urged in all estats, and that the ministrie go before, as paternes, in reformatioun of themselves in everie point of their life and calling; and preasse an earnest reformatioun of all noblemen, barons, and other gentlemen professing God, and of their hous, speciallie in suche points wherin they have been slanderous; and namelie, in blasphemie and licentious speeches, neglecting of the exercise of prayer, and reading of the Word at noone and at even at table. And that there be appointed within everie presbyterie some of the most discreit brethrein, to deale with the principall noblemen and barons within the bounds to that effect, and to the effect above writtin.

"That the excommunicatioun of the foresaid erles be solemnlie

intimated in all the kirks within the countrie, upon the nixt Sabboth after the sight heerof.

"That everie presbyterie call before them all suche persons within their bounds as interteane anie societie with the foresaid erles, or that take anie dealing for them; and that they proceed against them with the censures of the kirk summarilie, *una citatione; quia periclitatur salus ecclesia, et respub.*

"*Item*, It is thought expedient that an ordinarie number of commissioners from all the quarters of the countrie, viz., one out of everie quarter, sall have an ordinarie residence at Edinburgh, to conveene everie day with a number of the Presbyterie of Edinburgh, to communicat suche advertisement as sall come from diverse parts of the countrie, and consult upon the most expedient in everie cace. And for that effect, there is appointed for the north quarter, Mrs Alexander Dowglas, Peter Blekburne, George Gladestanes, James Nicolsone: For the midde quarter, Mrs James Melvill, Thomas Buchanan, Alexander Lindsay, and William Stirline: And for the south quarter, Mrs Johne Clapperton, Johne Knox, George Ramsay, and James Carmichael: And for the west, Mrs Johne Howesone, Andrew Knox, Johne Porterfeild, and Robert Wilkie. Of the which, Mrs James Nicolsone, James Melvill, James Carmichael, and Andrew Knox, are appointed for the first moneth, beginning at the first day of November; and their charges to be borne out of the quarters whereout of they are chosin, and their kirks to be suppleed by their presbytereis during their absence.

"*Item*, The foresaid commissioners, with advice of the Presbyterie of Edinburgh, finding the danger to grow by a farther dealing of the adversarie, sall appoint a Generall Assemblie to be conveened of the ministrie from all the parts of the countrie; with a good number of the best affected noblemen, barons, and commissioners of burghes, that by a commoun advice, the most expedient way may be found out and followed for the suretie of religioun and commoun peace.

The same day, the said commissioners ordeaned, amongst others, Alexander Seton, Lord Urquhart, President of the Sessioun,

to be summouned to compeere before the Synod of Lothiane the secund day of November, for dealing in favours of the Erle of Huntlie.

2 *Novembris*, 1596.

The which day, after incalling of the name of God, compeered before the commissioners one of the ordinarie Clerks of the Sessioun, showing, there were two of the Lords of the Sessioun, and two advocats, that desired conference with certane of the brethrein. The which being granted, the saids brethrein reported to the commissioners, that the saids lords compleaned of the summoning of the President of their Sessioun, and with manie arguments travelled to move the said commissioners and synod conveened to superseed the calling of the said summouns. At last [they] obteaned, that so sould be, if the said president would present himself before the synod of his owne accord. The which he did; and being by the synod remitted to the said commissioners, came before them on the morne, and purged himself verie largelie of anie dealing for the Erle of Huntlie, etc.

At Edinburgh, 5 *Novembris*, 1596.

The which day, the ordinarie counsell of the ministrie conveened within the galrie of the manse of the ministers of Edinburgh. After invocatioun of the name of God by Mr Robert Pont, moderator, it was thought good that the names of the counsellers for the first moneth sould be sett doun in writt, and place and tyme appointed for their meeting ordinar.

THE NAMES OF THE ORDINAR COMMISSIONERS ECCLESIASTICK FOR THE FIRST MONETH.

For the north quarter, Mr James Nicolsone; for the middle quarter, Mr James Melvill; for the west, Mr Johne Howesone and Mr Andrew Knox; for the south, Mr Adam Johnstoun and Mr George Ramsay; and of the Presbyterie of Edinburgh, which are

appointed to be alwayes ordinarie, Mr Robert Bruce, Mr Robert Pont, Mr David Lindsay, Mr James Balfour, Mr Patrik Galloway, Mr Walter Balcalquall.

Concerning the meeting, the house therof to be appointed at everie convention, before the dissolving therof, siclyke the place.

The same day, by the commoun consent of the whole, it was ordeaned and enacted, that whosoever sould be found absent at the calling of the catalogue, which sould be ordinarilie done before the prayer, sould ather give a reasonable caus of his absence, such as the rest of the brethrein sould judge sufficient, or immediatlie without delay to pay ten shillings, to be imployed for commoun expences.

6 *Novembris*, 1596.

The which day, after incalling of the name of God, there were directed certane of the brethrein, viz., Mrs David Lindsay, Patrik Galloway, James Nicolsone, and James Melvill, to confer with the Lords of Counsell, who reported to the brethrein as followeth :—

That my Lords President, Secretarie, Advocat, and Laird of Colluthie, had proponed two things unto them in his Majestie's name: First, That his Majestie offered, that nather thir excommunicated erles, nor anie in suche estat, sould receave anie favour at his Majestie's hands, before they satisfied the kirk: Nixt, That his Majestie craved of the kirk their judgement, whether the said persons having satisfied the kirk, may receave favour at his Majestie's hand? To the which, the Counsell of the kirk answered as followeth :—

To the first, They accept the offer, and according thereto, require that the said erles be putt off the countrie; and being putt off the countrie, make their offers to the kirk, for satisfactioun therof, conforme to his Majestie's promise made at the Callendar, to certane of the brethrein.

To the secund, they answere, That these persons being suche whom the law of God, and greatest assise of the realme in parliament, hath adjudged unto death, his Majestie may not lawfullie

show them anie favour, contrare to God's Word, and sentence of the said parliament; and that they could give no other advice of conscience and duetie toward his Majestie's safetie, and weill of his kirk and countrie. But if his Majestie and counsell will take on them to doe otherwise, lett them answere to God and the countrie for it. They protested, whatever sould ensue, the kirk sould be free therof, before Christ and the whole estats of the realme.

The which answeres being reported to the saids Lords of Counsell, and found verie hard, the secund propositioun was altered by the saids lords, and proponed in this forme: That his Majestie would understand, whether, if the said erles rightlie repenting, and satisfeing the kirk, may have the bosome thereof patent to them, and be receaved within the same. To the which, the brethrein answered *affirmativè*, They might alwise, without prejudice of the magistrat's part and duetie.

9 *Novembris*, 1596.

The which day, after invocatioun of the name of God, the brethrein thought it expedient to direct certane of their number to his Majestie, to show that there was a most dangerous suspicion entered in betuixt his Majestie and the kirk, the which, unlesse it were purged and putt away in tyme, could not but procure great inconveniences: To desire, therefore, his Majestie to declare plainlie, what offendeth him in the ministrie, ather in generall or particular, that his Majestie might be satisfied theranent; lyke as also, on the other part, to shew his Majestie the greeves of the kirk, which move a great suspicioun in the hearts of all the godlie and good men within this realme, of his Majestie's meaning and intentiouns; and to crave most humblie and earnestlie, that the same might be amended in tyme, etc. The brethrein directed were Mrs David Lindsay, Patrik Galloway, James Nicolsone, and James Melvill.

In like maner, that the queene sould be dealt withall in most grave and fectfull maner, for her favouring of Papists, etc., by Mr Robert Bruce, and some of the said brethrein.

THE ARTICLES AND POINTS OF THE GREEVES OF THE KIRK, TO BE INSISTED UPON WITH HIS MAJESTIE BY THE SAID BRETHREIN, ARE THESE :—

1. Tuiching the favour which the said erles had obteaned in the conventiouns at Falkland and Dumfermline.

2. That the Ladie Huntlie was so weill liked of by his Majestie and queen, that she was to be sent for, to be present at the baptisme of the princesse.

3. That the said princesse was to be concredited and delivered in custodie to the Ladie Livingston, being a professed Papist, and at the point of excommunicatioun.

4. That the king's commoun talke was, inventions against the ministers and their doctrine.

11 *Novembris*, 1596.

The which day, after incalling of the name of God, the brethrein directed to his Majestie reported his answere, that there could be no good agreement betuixt the ministers and him till the marches of their jurisdictioun were read ; and that in these points, namelie, he thought he had farther interesse :—

1. In preaching of the Word, they sould not speeke of his effaires of estat and counsell, but he sould ken what the ministers sould speeke before he came out of his chamber.

2. The Generall Assemblie sould not be convocated but by his authoritie and speciall command.

3. There ought nothing to be holdin firme and stable that is done in that Assemblie, before he had ratified and allowed the same by himself or his commissioners, even as in his parliament, tuiching the acts and statuts of the realme.

4. That the synods, and presbytereis, nor particular sessiouns, meddle with no causes wherupon this law strikes, but upon fornicatioun, and suche like slanders ; and that he would propone his intentioun and minde tuiching these heeds, and others, and crave

to be satisfied, otherwise there could be no good lyking or agreement among them.

1. *As to the Greeves.*

1. He had granted nothing to the excommunicated erles but that which the counsell and estats had thought needfull for the peace of the realme, and that alwayes under condition they sould first satisfie the kirk.

2. That the Ladie Huntlie was a good discreit ladie, and worthie of his affectioun, howbeit she was a Papist, wherof the kirk had the wyte, that dealt not with her: and yitt, Papists might be honest folkes, and good freinds to him; for his mother was a Catholick, and yitt he behoved to say she was an honest woman. The truthe was, that the queene could not want her from the baptisme, becaus she had taikin great paines with her at her birth.

3. That the Ladie Livingstoun sould ather yeeld to the religioun, and satisfie the kirk, or then she sould not come neere his daughter; but he could not refuse to concredit her to the Lord Livingston, who was a man known of good religioun.

4. That the ministers had the wyte themselves of his maner of speeking, who ceasse never in their sermouns to provocke him, and utter all kinde of outrages against him, to disgrace him before the people.

To all which the said brethrein made sufficient and plaine replyes and answeres:—

As to the free preaching of the Word, in rebooking of all sinnes in whatsomever persons without respect, and discipline joyned therewith, they were established after manie conferences, upon evident grounds of the Word of God, by his Majestie's lawes and acts of parliament, and manie yeeres' practise and use past therupon.

That his Majestie sould not have permitted anie benefite to have beene granted to these enemeis till they had beene off the countrie; and that all these tokins of favour shewed to Papists moved the hearts of all good men to suspicioun of his Majestie.

That if the Ladie Huntlie came to the baptisme, it would confirme all in their evill opinion of his Majestie, and the pulpits could not but cry out against it.

That the putting of the princesse in the Lord Livingston's custodie, his ladie being as she is, would be esteemed of all a speciall pledge of his Majestie's affectioun to Papists.

That the ministrie had spokin alwayes reverentlie of his Majestie, but could not spaire the enemeis, nor no favourable dealing used toward them by whatsoever, &c.

The which report, when the brethrein of the counsell had heard, they perceaved cleerelie that the overthrow of the libertie of Christ's kingdom was intended, and were verie glade that his Majestie had uttered his meaning so plainlie. They thought meete, and ordeanned therefore, that everie one of the brethrein sould studie the heeds of the discipline.

That Mr James Carmichaell, and Mr Charles Lumisden, sould seeke out all the conferences, acts of counsell and parliament past in favour of the kirk, and libertie and discipline therof.

That the presbytereis sould be advertised heerof throughout all the countrie, and the brethrein exhorted to diligence in their studeis theranent.

That the said brethrein sould heare the king again, and receave his articles, but not to enter in questioun or reasoning thereanent, till the brethrein of the counsell were advised; fearing anie wise to call and bring in doubt the undoubted freedom and discipline of Christ's kirk.

The same day, it was reported to the brethrein, that sure intelligence was gottin of Mr David Black's charging before his Majestie and counsell, for certan unreverent, reproachefull, and infamous speeches uttered by him, in certan of his sermons made in the moneth of October last, and that his day was the eighteenth of this instant.

12 *Novembris*, 1596.

The which day, after incalling of the name of God, it was or

deanned that a summons sould be libelled against the Ladie Huntlie by Mr Robert Pont, and sent away with diligence, to stay her comming to court, if it were possible.

That a letter sould be sent to the Presbyterie of Stirline, charging them to proceed to the sentence of excommunicatioun against the Ladie Livingstoun.

The same day, it was resolved by the whole brethrein of the counsell, that Mr David Blacke sould declyne the judicatour of the king and counsell, and exhortatioun made to all the brethrein to seeke out all the warrants of Scripture or positive lawes, to prove that the judgement of doctrine whatsomever apperteanes to the pastors of the kirk *in prima instantia*.

The same day, the brethrein before named to deale with his Majestie were directed by the counsell:—

1. To heare his Majestie's questions and doubts, which his Majestie said he had to propone, tuiching the bounding of the office and calling of the ministrie; but no wise to reasoun therupon, nor give anie answere thereto, onlie to report the same to the brethrein of the counsell.

2. Becaus his Majestie desired to be advertised of anie thing the kirk mislyked in privat, before it was rebooked in pulpit, his Majestie sould be admonished tuiching the repairing of the Ladie Huntlie to the baptisme; that if his Majestie suffered the same, it could not be comported with unspokin against in pulpit, as a thing most offensive to all the good and godlie. And in like maner, of the giving of the princesse in custodie to the Ladie Livingstoun. In like maner also, tuiching the summoning of Mr David Blacke, which was verie evill thought of, that the ministers of God's Word sould be charged and troubled upon calumneis and trifling delatiouns, where as, in the meane tyme, the enemeis of the truthe were favoured and overlooked.

15 *Novembris*, 1596.

The which day, after incalling of the name of God, the brethrein reported that they had spokin all the former points to his Majestie,

but had gottin no good answere, becaus of a great discord fallin out betuixt him and Mr Patrik Galloway, for the words which Mr Patrik used in conference with the king, That the kirk gott but faire words and promises without effect, and the enemeis gott the deid and effect. The which words were so highlie taikin, that there was no patience that night, &c.

The same day it was thought most needfull, that the same brethrein, Mr Patrik excepted, sould deale earnestlie with his Majestie in this point, that the commoun enemeis sould be tane order with, before there were anie controversie intended with the kirk, or anie of the brethrein putt at, otherwise all the world would say there was nothing meant but to benefite the enemie, and trouble the kirk.

Also, that for disappointing the enemeis, it sould be earnestlie suted of his Majestie, 1. That the Ladie Huntlie sould be debarred from anie accesse to court. 2. That the cautioners of the sometyme Erles of Huntlie and Erroll sould be putt at, and the summes evicted for the king's use and effairs. 3. That their livings sould be intromitted with, and taikin up presentlie by his Majestie's officers and chamberlans, and applyed to his Majestie's furniture in expeditioun against them. 4. That their lands sould be disponed, and dealt unto suche as would shew themselves most fordeward and fectfull in persuing of them to the uttermost.

16 *Novembris*, 1596.

The which day, after invocatioun of the name of God, the brethrein reported a direct answere affirmative, concerning the cautioners of the foresaid erles. And as to the rest, his Majestie declared his determined purpose was to purge the land from all Papistrie and Papists, and to suffer none, in whatsomever degree, to be of another religioun nor he was of. And, therefore, as to the said erles, ather sould they fulfill the things enjoynned to them, wherof the first was, the satisfeing of the kirk, or then he sould upon them with fire and sword; and if they offered to satisfie, they sould be in sure waird, and under all other sure bonds as could be devised, till they had done the same.

The Ladie Huntlie sould subscribe, and be of good religioun, or then sould find no favour, nor be suffered to abide neere court. Her sonne sould be brought over with diligence, and putt in the companie of a godlie and zealous man, to be brought up in the truthe of religioun, &c.

As for Mr David Blacke, his Majestie being dealt with earnestlie to lett that mater and dyet desert, answered, he thought not muche of that mater, onlie lett Mr David compeere, and if he was innocent, purge himself in judgement, and he sould satisfie the ambassader. "But take heed, sirs," sayeth he, "that yee declyne not my judicatour, for if yee doe so, it will be worse," &c.

17 *Novembris*, 1596.

The which day, after incalling of the name of God, the brethrein entered in a conference tuiching the declinatour to be used by Mr David Blacke; and after mature and grave consideratioun, resolved, that forasmuche as they perceaved the drift of that dealing with Mr David to tend to the setting doun of a preparative against the free preaching of the Word, and to bring the doctrine of all ministers under the censure and controlment of his Majestie and counsell; and remembring, that notwithstanding diverse good brethrein being conveened before the king and his counsell, for their doctrine, had declyned the judgement therof, yitt becaus it was but verballie done, it vanished, and was forgett and denied, and the exemple therof alledged for a practise: Therefore, at this tyme, the said declinatour sould be made by writt, weill qualified and fortified with good reasouns. And for testifeing the consent and approbatioun of the whole brethrein, as in a commoun caus, everie one sould putt to their hand, and subscribe the same with the said Mr David, wherof the tenor followeth:—

THE DECLINATOUR OF THE KING AND COUNSEL'S JUDICATOUR IN MATERS SPIRITUALL, NAMELIE, IN PREACHING OF THE WORD; GIVIN IN TO THE SAME AT HALYRUDHOUS BY MR DAVID BLACKE, MINISTER AT ST ANDREWES, IN HIS OWNE NAME, AND NAME OF HIS WHOLE BRETHREIN OF THE MINISTRIE, THE 18TH DAY OF NOVEMBER, 1596.

"Unto your Majestie and Lords of Secreit Counsell, in all reverence in Christ, humblie meanes I, Mr David Blacke, minister of the Evangell at St Andrewes, that where I am charged by your Highnesse' letter to compeere and answere for certan unreverent, unfamous, and undecent speeches, alledged uttered by me in some of my sermons made in publict in the kirk of St Andrewes, in the moneth of October last bypast, 1596, as at more lenth is conteaned in the said letters: wherin, albeit the conscience of my innocencie upholdeth me sufficientlie against whatsomever calumneis of men, and that I am readie, by the assistance of the grace of my God, to give a confessioun and stand to the defence of everie point of the truthe of God, uttered by me in the said sermouns, ather in opening up of his Word, or applicatioun therof, before your Majestie or counsell, or whatsomever person or persons that, upon anie lawfull caus, will crave an accompt of that hope which is in me, in whatsomever place or maner, so farre as sall be requisite for clearing and maintenance of the truthe and of my ministrie, and may be done without the prejudice of that libertie which the Lord Jesus has givin and established in the spirituall office-bearers of his kingdom; yitt seing I am not at this tyme brought to stand before your Majestie and counsell as a judge sett to cognosce and decerne upon my doctrine, wherethrough my answering to the said pretended accusatioun might import (with the manifest prejudice of the liberteis of the kirk) an acknowledging also of your Majestie's jurisdictioun in maters that are meere spirituall, which might move your Majestie to attempt farther in the spirituall governement of the hous of God, to the provocatioun of his hote displeasure against

your Majestie; and in end, ather a plaine subverting of the spirituall judicatour, or, at least, a confounding therof with the civill, if at anie tyme profane and ambitious magistrats might, by suche dangerous beginnings, find the hedge brokin doun, to make a violent irruptioun upon the Lord's inheritance, which the Lord forbid: Therefore, I am constrained, in all humilitie and submissioun of mine, to use a declinatour of this judgement, at least *in prima instantia;* which I beseeche your Majestie to consider earnestlie, and accept of according to justice, for the reasouns following:

"1. The Lord Jesus, the God of order and not of confusioun, as appeareth evidentlie in all the kirks of his sancts, of whom onlie I have the grace of my calling, as his ambassador, (albeit most unworthie of that honour,) to beare his name among his sancts, he has given me his Word, (and no law nor traditioun of man,) as the onlie instructiouns, whereby I sould rule the whole actiouns of my calling, in preaching of the Word, administratioun of the seales therof, and exercise of discipline: And in the discharge of this commissioun, I cannot fall in the reverence of anie civill law of man, but in so farre as I sall be found to have passed the compasse of my instructiouns, which can not be judged, according to the order established by that God of order, but by the propheits, whose lippes he has appointed to be the keepers of his heavenlie wisdom, and to whom he has subjected the spirits of the propheits. And now, seing it is the preaching of the Word wherupon I am accused, which is a principall point of my calling, of necessitie the propheits must first declare whether I have keeped the bounds of my directiouns, before I come to be judged of your Majestie's lawes for my offence.

"2. Becaus the libertie of the kirk and whole discipline therof, according as the same has beene, and is presentlie exercised within your Majestie's realme, has beene confirmed by diverse acts of parliament, and approved by the Confessioun of Faith, by the subscriptioun and oath of your Majestie, your Majestie's estats, and whole bodie of the countrie, and peaceablie bruiked by the office-bearers of the kirk in all points; and namelie, in the foresaid point, tuiching the judicatour of preaching of the Word *in prima instantia*,

as the practise of diverse late exemples evidentlie will shew: Therefore, the questioun tuiching my preaching ought first, according to the grounds and practise foresaid, be judged by the ecclesiastick senat, as the competent judge therof in the first instance.

"In respect wherof, and for diverse other weightie causes and considerationns, namelie, for eshewing the great and dangerous inconveniences that might fall both to religioun and your Majestie's owne estat, by the appearance of distractioun of your Majestie's affectioun from the ministrie, and good caus of God in their hands, to the greefe of your Majestie's best subjects, and to the encouragement of the adversareis both of your Majestie's estat and religioun: Therefore, I most humblie beseeche your Majestie, and in name of my brethrein, the commissioners of the Generall Assemblie, and the remanent of the brethrein of the ministrie, who, for testifeing their earnest affectioun and allowance of the premisses, have subscribed these presents with their hands, that your Majestie, in this actioun, would manifest your earnest care to mainteane that libertie which the kirk of Christ within this countrie, for the confort of his sancts, has with so great blessing injoyed, since the Gospell was first reveeled in this land, wherethrough the godlie may be conforted, the adversareis frustrated of their expectation, and your Majestie truelie honoured in honouring the Lord Jesus."

19 *Novembris*, 1596.

The which day, after incalling of the name of God, the counsell of the brethrein thought it needfull, that certan of the brethrein sould be directed to speeke and deale with the queen's Majestie, 1. Tuiching her religioun; 2. Her maners in favouring and dealing for the enemeis of the truthe, namelie, the Erle of Huntlie, and speeking contemptuouslie and reproachfullie of the ministrie; as also for want of godlie and vertuous exercise among her maids, and spending of all tyme in vanitie: for remeiding and helping wherof, to travell to move her to heare now and then some godlie and discreit men, to teache her by short forme of doctrine and conference.

The brethrein nominated for that effect were Mr Robert Bruce, Mr Andrew Melvill, and Mr Johne Davidsone.

The same day, the said brethrein went doun to have discharged this commissioun to the queene, but gott not accesse,[1] but were desired to come at another time.

20 *Novembris*, 1596.

The which day, after incalling of the name of God, it was thought needfull that a copie of the declinatour fore-placed, givin in by Mr David Blacke, by advice of the commissioners of the Generall Assemblie, to his Majestie and counsell, sould be sent to everie presbyterie within this realme with all diligence; with a letter, showing them the occasioun therof, and desiring them to caus the same be subscribed by all their members. The just copie wherof, becaus it was muche querrelled as seditious and treasonable, was thought meete to be insert as followes:—

"*If we suffer with him, we sall raigne with him.*—Rom. viii.

"Brethrein,—After an earnest remembrance of our duetie toward God, and our King Christ Jesus, please you to witt, the commissioners of the Generall Assemblie, and ordinarie conventioun of the brethrein at Edinburgh, perceaving the drift of this charging of Mr David Blacke before his Majestie and Counsell to tend to the setting doun of a preparative whereby the whole authoritie of Christ's kingdom might be overthrowne, by subjecting to the judgement of the civill magistrat the censuring of the preaching of the Word, and setting of injunctiouns therupon, and upon the whole discipline of the kirk, thought it most needfull, and pertinent to our duetie, to counsell the said Mr David to use a declinatour of the judgement of the king and counsell, and that in writt; becaus, that notwithstanding the brethrein, which have beene conveened before his Majestie and counsell for their doctrine in time past, have

[1] She was at the dancing.—*Note in the original.*

faithfullie discharged their duetie of declinatour, yitt, becaus it was but verball, it was forgott and denied, and the exemple of judging of their doctrine alledged for a practise. And for testifeing of our consent and approbatioun of the same, we have everie one of us adjoynned our subscriptiouns with the said Mr David unto the said declinatour.

"Now yee are not ignorant, brethrein, how unitie strentheneth the caus, and makes us able to stand whole and unbrokin. We have therefore thought meete to send a copie of the said declinatour to you, requiring everie one of the pastors within your presbyterie, as we doubt not of the agreement of your hearts with us in this most honourable caus of our Christ, and standing to the libertie of his spirituall kingdom, as not onlie faithfull subjects, but the honourable office-bearers therof, so to sett your hand writt and subscriptiouns therunto, for testifeing your approbatioun therof with us, and to remitt the same subscribed backe to us, before the first day of the nixt moneth, or with all possible diligence, and that, with one of your most wise and faithfull brethrein, who may consult and assist us in thir so weightie maters. As likewise, we beseeche everie one of you to studie this questioun diligentlie, and the whole points of the discipline, by searching the Scriptures, and writtings of the learned; for certanelie, Satan is to make the first onsett upon this hedge of the Lord's vineyard, that breaking doun the same, he may therafter waist and wracke the plants therof at his pleasure. The Spirit of the Lord Jesus be with you, and make you, with us, faithfull even to the death, that we may be partakers of the crowne of life. Amen.

"From Edinburgh, the 21st of November, 1596."

22 *Novembris*, 1596.

After incalling of the name of God, it was thought needfull, that the counsell named Octavians sould be admonished of their duetie, seing it appeared evidentlie, that ather by their stirring up of the king, or, at the least, not staying of him, the kirk was this way putt at and troubled, and the enemeis in the meane tyme overlooked

and favoured. And seing they found the kirk at freedom, and were his Majestie's ordinarie counsell, who was a prince of his owne naturall, and by the fundamentall lawes of the countrie subject to his counsell, what ever ensued and fell out in maters, they would justlie beare the blame therof; and the kirk behoved to take her to them also, to admonishe them of their negligence in hearing of the Word, &c.

The same day also, it was thought expedient, that suche of the nobilitie as sould repaire to this baptisme and conventioun sould be spokin, viz., the Erle of Marr by Mr James Melvill, the Erle of Crawfurd by the same, the Lord Hammiltoun by Mr Robert Bruce and Mr James Balfour, the Erle of Argile by Mr Robert Bruce and Mr James Nicolsone, the Erle of Montrose by Mr James Nicolsone; and siclyke the rest, as brethrein had acquaintance and occasioun.

23 *Novembris*, 1596.

The which day, after incalling of the name of God, the brethrein appointed to speeke the counsell reported their answeres to this effect, purging themselves verie muche of all favouring and dealing for the Popish lords; also of all counselling of his Majestie to putt at the ministrie, or controvert with the kirk, in whatsomever mater. And becaus for their good deserving they had gottin little thankes, they were determined to quite their commissioun, and cast it in the fire: but as for other maters that the king had to doe with the kirk, they would not meddle therewith; they were brought on by their advice, and so sould they end: lett the king's Majestie and his wise nobilitie see thereunto.

24 *Novembris*, 1596.

The which day, after incalling of the name of God, the moderator, Mr James Nicolsone, shew how he was called for by his Majestie, who was highlie incensed, for sending of the declinatour through the presbytereis, and, therefore, craved to see the commissioun of the Generall Assemblie, and a copie of the letter sent

to the presbytereis; both the which the brethrein granted, and sent the same with their moderator, accompanied with some of the brethrein, becaus they were not judiciallie charged so to doe, but desired by the king's mouth.

The moderator returning, shew to the brethrein, that the letter was verie evill thought of, as seditious and treasonable, and that he feared the commissioners sould be charged off the toun. Therefore, the commissioners of the Generall Assemblie being for the most part present, with advice of the counsell of the brethrein, ordeaned the Generall Assemblie to be convocated to the secund Tuisday of Januar, and to be holdin at Edinburgh.

It was resolved also, that seing the commissioners of the Generall Assemblie were there conveened by the warrant of Christ and his kirk, at a most needfull and dangerous tyme, to see to the weale therof, and *ne quid detrimenti capiat*, they sould obey God rather nor man; and notwithstanding of anie charge, sould remaine at this worke so long as it was found expedient for the weale of the kirk so to do.

In end, it was thought good, that Mrs David Lindsay, James Nicolsone, Robert Rollock, and James Melvill, sould be sent doun to his Majestie, to shew him what great inconveniences might ensue, namelie, to his Majestie's owne estat and person, by entering in hard dealing with the kirk, and discharging the commissioners of the Generall Assemblie: That it would therefore please his Majestie to leave off all this persute of Mr David Blacke, and controverseis arising thereby, untill the tyme that order were taikin with the commoun enemeis the Papists, and a Generall Assemblie convocated, for deciding of all controverseis, and satisfeing of his Majestie's greeves and questiouns: That they sould move his Majestie to thinke more earnestlie upon the danger the whole estat of the realme standeth into, by the bussinesse of the Papists in banding themselves together, and associating of diverse clannes with them; in preparing of armour and horses, &c.

25 *Novembris*, 1596.

The which day, after incalling of the name of God, the brethrein directed to his Majestie the day before reported his Majestie's answere; that he was sorie that maters sould have so fallin out betuixt him and the commissioners, &c. Yitt would the commissioners passe from the declinatour, or at least make a declaratioun therof, that it was not generall but particular, and used in that caus of Mr David Blacke, being a caus of slander perteaning rightlie to the kirk particularlie, &c., he would passe from the summons, and all persute of the said Mr David.

Tuiching the which answere, the brethrein advising a large tyme upon that declaratour, and diverse formes therof being devised, voted and agreed all to this one, as followeth:—

"The commissioners of the Generall Assemblie declare, that their intentioun in the declinatour, used by their advice, of his Majestie and counsell by Mr David Blacke, was no wise to diminish, hurt, or prejudge his Majestie's authoritie, by exceeming therefra the judicatour of anie mater or caus civill or criminall committed by whatsomever persoun, that justlie apperteaned thereto, not contrarie to the Word of God: onlie in maters and causes spirituall, of persons bearing a spirituall functioun in the kirk and spirituall kingdom of Jesus Christ, in discharge of the points of their office and duetie spirituall; as namelie, in preaching of the Word, ministratioun of the sacraments, and exercise of Christian discipline, the lawes and instructiouns wherof, as they have receaved from Christ onlie, sett doun in the Word, and from no king nor civill magistrat earthlie, so ought they to be censured and judged by the same Word allanerlie, and suche as have their lawfull calling to travell in the interpretatioun and opening up of the same."

The declaratour agreed upon was esteemed by the brethrein who conferred with the king suche as he would not be content with, and, therefore, refused to present it to his Majestie. In end, the commissioners condescended to make this offer to his Majestie, that if he would leave the summouns of Mr Blacke, passe therefra,

and sett doun an act of reference of all persute of the said Mr David, and leaving of charging of ministers for their preaching, till a lawfull Generall Assemblie, they would on the other part take up their declinatour, and ceasse to use the same until the said Assemblie.

27 *Novembris*, 1596.

The which day, after incalling of the name of God, the brethrein directed to his Majestie reported how they had spent muche tyme in reasoning with his Majestie and counsell, but could not agree, unlesse they would condescend to passe from the declinatour, and caus Mr David Blacke to answere, and acknowledge the judicatour; the which they could on no wise grant.

The same day, betuixt two and three after noone, Mr David Blacke was summouned again by a new libelled summouns, most slanderous, blasphemous, and malicious, with opin proclamatioun, and sound of trumpet at the Mercat Croce; and therewithall a proclamation made, discharging all ecclesiasticall conventiouns and assistance of the ministers, &c. The tenor wherof followeth:—

"James, by the grace of God, King of Scots: To our lovits, William Forsyth, messinger, messingers, our shireffs in that part, conjunctlie and severallie, speciallie constitute, greeting: Forasmuche as it is understood to us and Lords of our Secreit Counsell, that sindrie ministers, presbytereis, and other ecclesiasticall judgements, have oft and diverse tymes of late proudlie presumed to make convocatioun of diverse barons and others our lieges, under certane frivolous pretences, alledging acts of parliament or Secreit Counsell for their warrant; at the least, that they have our licence and consent therunto, albeit it be of veritie, there are no suche acts, nather gave we our licence and consent to anie suche convocatiouns; but whatsomever is, or has been alledged, to colour their unlawfull doing in this point, is altogether without warrant, expresse against our lawes, acts of parliament, and Secreit Counsell, to bring our good subjects in hatred of us, and perrell and danger of the said lawes and acts foresaid.

"For remeed wherof in tyme comming, our will is, and we charge you straitlie and command, that, incontinent thir our letters seene, yee passe, and in our name and authoritie command and charge all and sindrie our lieges, of what estat, qualitie, or degree that ever they be, and that by opin proclamatioun at the mercat croces of the heed burrowes of our realme, and other places needfull, that none of them take upon hand to convocat or assemble themselves in anie sort, at the desire of the said ministers, presbytereis, or other ecclesiasticall judgements, in anie part of our realme, under whatsomever colour and pretence of assisting them in their defence, being accused of anie caus, cryme, or offence, or in their repairing to whatsomever judgement-seate, or otherwise whatsomever, without our speciall licence and proclamatioun made to that effect, under the paines conteaned in our lawes and acts of parliament made heeranent: Certifeing them, and they doe in the contrare, they sall be called, accused, persued, and punished, according to the tenour of our said acts and lawes foresaids, with all rigour and extremitie, in exemple of others, as ye will answere to us heerupon: The which to doe, we committ, &c.

"Givin under our signet, at Edinburgh, the 24th day of November, and of our raigne the 30th yeere, 1596.

"*Per actum Secreti Consilij.*"

The same day also were givin furth letters upon an act of Secreit Counsell, charging the commissioners of the Generall Assemblie off the toun within 24 houres, and not to conveene at Edinburgh nor ellis where, &c. The tenor wherof in like maner followeth:—

"James, by the grace of God, King of Scots: To our lovits, &c., messingers, &c. Forasmuche as it is understand unto us and Lords of our Secreit Counsell, that there are certane persons of the ministrie, which have remained this long tyme bygane, and still remaine, within our burgh of Edinburgh, unlawfullie occupyed in devising and setting doun of formes, rules, and platts, altogether against the lawes of God and man, and most hurtfull and prejudiciall to our royall person and authoritie; usurping also power over

their brethrein of the ministrie, in directing of letters, appointing them to subscribe a declinatour formed and alreadie subscribed by themselves, against our judgement-seat and our lawes, and to returne the same to them, with some of their brethrein, to assist them in their defence, as though they were not our subjects, nor that we had no power nor authoritie to command them; intending, as appeares by suche kinde of convocatioun and tumultuous forme of doing, to breake our peace, and to raise trouble, seditioun, and insurrectioun in our countrie, no care being taikin in the meane time of their severall flockes and congregatiouns committed to their charge, but leaving them altogether confortlesse, and destitut of the Word; colouring their doings in all these things with a generall commissioun, alledged givin by the last Generall Assemblie of the ministrie, albeit there be no suche commissioun; at least, the same is unorderlie, past and givin by the same Assemblie without consent of our commissioners, being there present for the tyme, who nowise consented thereto, and without whose consent no suche commissioun can be lawfull: As als, the same pretended commissioun granted to them being produced by themselves, seene, and considered by us, and they heard at lenth therupon: We, with advice foresaid, have found that the same is granted to intreate, consult, and report, and in no wise to exerce anie acts or jurisdictioun, as is above mentiounned. And, therefore, to prevent the great disorder, confusioun, and inconvenient likelie to follow heerupon, we, with advice of the Lords of our Counsell and Sessioun, all in one voice, sitting together in judgement, have discharged, and by these presents discharge, the said commissioun, as unlawfull in it self, and more unlawfullie executed by the said pretended commissioners.

"Our will is heerefore, and we charge you straitlie and command, that, incontinent thir our letters seene, yee passe, and in our name and authoritie, command and charge the persons underwrittin: They are to say, Mr Andrew Melvill, Mr James Melvill, Mr Johne Davidsone, Mr Nicoll Dagleish, Mr James Nicolsone, Mr James Carmichael, Johne Clappertoun, to depart home to their severall flockes and congregatiouns, within twentie-foure houres nixt after they be charged by you thereto; and to attend, remaine, and await

upon the faithfull discharge of their calling; and on no wise to remaine, or keepe suche unlawfull conventiouns, convocatiouns, or assembleis, ather within our said burgh, or anie other burgh, part, or place of this realme, in tyme comming, without our speciall licence obteaned to that effect, under the paine of rebellioun, and putting of them to our horne: And if they failyie, the said space being bypast, that yee incontinent therafter denounce the disobeyers our rebells, and putt them to our horne and escheat, and inbring all their moveable goods to our use, for their contemptioun, as yee will answere to us therupon. The which to doe, &c.

"Givin under our signet, at Edinburgh, the 24th of November, and of our raigne the threttie, 1596.

"*Ex deliberatione Dominorum Consilij.*"

The same day, immediatlie after the proclamatioun, the commissioners conveenned in the galrie, read and considered the saids proclamatioun and charge, and layed them opin before the Lord, to be the righteous judge and revenger, als weill of the slanderous lees and blasphemous calumneis therof, as of the great iniquiteis and wrong done to the Lord Jesus Christ, and libertie of his kirk, in usurping the judicatour and supreme authoritie of commandement over the same; controlling his commissioners, and annulling and discharging the acts of the Generall Assemblie, as though it was a judicatour inferiour and subalterne to the Secreit Counsell and Sessioun, &c., and therefore ordeanned the ministers of Edinburgh, and suche others as were to occupie the pulpits, to deale mightilie by the Word, the scepter of the Lord Jesus, the King of Glorie, against the said proclamatioun and charge, whereby his honour and libertie of his kingdom might be vindicated from the yoke of oppressioun, and blott of calumneis imposed theron by the presumptioun of men. And to that effect, to use arguments flowing from the grounds following, and suche others:—

That immediatlie the spirituall jurisdictioun floweth from Christ, (Ephes. iv.;) nather can anie wise the same proceed mediatlie from a king or civill magistrat.

That the power of conveening to the exercise therof is from Christ, in like maner; and no Christian prince sould impede the same, but fortifie, defend, and mainteane the same, &c.

That the acts and ordinances therof can not, nor ought not be controlled, but by the Word of God, and that in a lawfull assemblie, according as they are made.

That the Christian prince nor his commissioners have no interesse in judging in the Assembleis, but bearing the office and name of elders, directed in commissioun from inferiour assembleis or particular congregatiouns: And, therefore, as tuiching the expositioun of the Word, inferiour in gifts and calling, to the doctour and pastors of the kirk; otherwise they are present, *non tanquam judices et συνεπισκοποι,* but *tanquam custodes et nutritii.*

That as Christ and his disciples commanded to give unto Cæsar that which is Cæsar's, so they never usurped the things that perteaned to Cæsar. But so is it, that Christ and his apostles conveenned themselves and the people, and discharged all the points of their spirituall calling, without anie warrant or leave asked or givin by the magistrat.

The Councell of Jerusalem, (Acts xv.) convocated by the apostles, intreatted not onlie of doctrine, but of things indifferent, without licence or authoritie from anie civill prince or magistrat.

And so, finallie, as the pastors of the kirk are the messingers and ambassaders of God, and have their commissiouns and instructiouns from Christ Jesus, and not from anie king or prince earthlie, so are they to be answerable to him who gave the commission allanerlie, and not to be controlled or discharged by anie other.

And becaus it was objected, that they did wrong in speaking of the king in his absence, by other just reasouns why they behoved so to doe, they sould have in readinesse the exemple of Ezechiel xxi., who rebooked Zidkiah the king most sharpelie, being absent from him more than five hundreth myle in Caldea; calling him polluted or profane, and wicked, &c.

29 *Novembris*, 1596.

The which day, being the day before Mr David Black's dyet, after incalling of the name of God, the commissioners understanding the king to be incensed, by report of the doctrine, which had mightilie sounded from all the pulpits the Sabboth past, and that his Majestie was purposed to keepe Mr Black's dyet, accompanied with his nobilitie and counsellers in great solemnitie and pompe within the Tolbuith, and there, in a frequent and honourable counsell, to find himself judge, and establishe the same by an act, they resolved, after grave deliberatioun, to putt in forme their minde, under the title of Articles, (because their commissiouns boore expresselie, to give in articles to his Majestie and Counsell, and receave answeres therof;) and give in the same, by certan of the brethrein chosin for that effect; requiring most instantlie, that these articles sould be read and considered by his Majestie and honourable Counsell, and an answere granted therunto; and that, to prepare his Majestie and Counsell the better for Mr David's actioun. The tenor wherof followeth:—

ARTICLES HUMBLIE PROPONED TO HIS MAJESTIE AND SECREIT COUNSELL, BY THE COMMISSIONERS OF THE GENERALL ASSEMBLIE, IN NAME OF THE SAID ASSEMBLIE; 30 NOVEMBRIS, 1596.

"*An humble Supplication and faithfull Admonition to his Majestie and Counsell, with the Nobilitie and Session, under the title of Articles.*

"Please your Majestie, and Lordships of your Majestie's Counsell: Forasmuche as the Generall Assemblie of the kirk, holdin at Edinburgh, in the moneth of Marche last bypast, considering that the iniquitie of the land in all estats was alreadie come to that fulnesse, that it could not more suffer anie long delay of the judgements which had beene so oftin threatned in vaine against the contempt of this age; and perceaving the rage of Satan so mightilie

kindling up the malice of all his instruments, als weill within the countrie as without, that even then, it appeared, the Lord was preparing the scourge of his indignatioun, wherewith he would strike undoubtedlie before it were long: Therefore, they gave their commissioun to certane chosin brethrein, who, upon the occasioun of the approaching of the angrie countenance of God, might assemble themselves, and give their attendance upon the Lord's working, that, by their fidelitie, everie one in his owne calling might be in convenient tyme stirred up and turned unfainedlie to God, for preventing of his wrath. According to the which, being heere conveenned, and finding the forefaulted excommunicated erles to be returned, and remaining within the countrie, and to strenthen themselves daylie by their impunitie and oversight, wherethrough they become able both to give their concurrence to the forrane enemie incace of forrane assault, and likewise to attempt by themselves and their confederats within the countrie, whatsoever purpose might be most prejudiciall to the caus of God and your Majestie's estat; which is to us an evident argument of the Lord's wrathe to be at hand, and more neere alwayes nor is apprehended by your Majestie.

"We therefore can not but give your Majestie faithfull advertisement, beseeking your Majestie to give heed therunto, but all preoccupied minde and affectioun, as we, by the grace of God, in sinceritie, love, and humilitie, sall propone the same to your Majestie.

"And becaus that we, our presbytereis, and other ecclesiasticall judgements, are greevouslie traduced at tables, counsell, mercat-croces, in publict proclamatiouns, by giving us out to be unlawfullie occupyed in devising and setting doun of formes, rules, and platts, altogether against the lawes of God and man, prejudiciall to your Majestie's authoritie and person; to presume proudlie to make convocatiouns and tumults, to intend the breake of your Majestie's peace, the raising of trouble, sedition, insurrectioun, confusioun, disorder, and other inconveniences in your Majestie's countrie, seeking onlie to colour these doings under frivolous pretences and commis-

siouns, as though we were not your Majestie's subjects, or that your Majestie had not power and authoritie to command us; and to be usurpers of authoritie over our brethrein, to be carelesse of our flockes, and leavers of them confortlesse; which crymes, if they might be justlie layed to our charge, we were of all your Majestie's subjects the most unworthie to live, lett be to have the honour to beare the message of reconciliatioun to the world.

"And as they are so calumniouslie published against us, they can proceed of no other fountaine, but from the dreg of Anti-christianisme, and can tend to no other end, but to the disgrace of our holie ministrie, that therafter the truthe it self might likewise fall in discredit, and then a plaine way might be layed opin to Papistrie or atheisme; which we beseeke your Majestie to consider and take heed to wiselie in tyme, before it come to a canker that can not be cured.

"For this caus we are compelled, for cleering of our ministrie, and purging of us from all suspiciouns of suche unnaturall affectioun and offices toward your Majestie, and the estat of your Majestie's countrie, to call that great Judge that searcheth the hearts, and sall give recompence to everie one conforme to the secreit thought therof, to be judge betuixt us and the authors of all these malicious calumneis; before whose tribunall we protest, that we have alwayes borne, now beare, and sall beare, God willing, to our lives' end, als loyall affectioun to your Majestie, as anie your Majestie's best subjects within your Majestie's realme of whatsoever degree and ranke; and according to our power and calling sall be, in the grace of our God, als readie to procure and mainteane your Majestie's weelefare, peace, and advancement, as anie of the best affectiouned whatsomever: Lyke as we call your Majestie's owne heart to record, whether if yee have not found it so in effect in your Majestie's straits? And if your Majestie be not perswaded to find the like of us all, if it fall out that your Majestie have occasioun, in these difficulteis, to have the tryell of the affection of your subjects again, and whatsoever we have uttered, ather in our doctrine or our other actiouns toward your Majestie, it has proceeded in a zealous affec-

tioun toward your Majestie's weelefare, nixt to the honour of God, above all things, as we protest; choosing rather by the libertie of our admonitiouns to hazard our selves, than by our silence to suffer your Majestie to draw on the guiltinesse of anie sinne, that might involve your Majestie in the wrathe and judgement of God.

"In respect wherof, we most humblie beseeke your Majestie so to esteeme of us and our proceedings, as tending alwayes, in great sinceritie of our hearts, to the establishing of religioun, the suretie of your Majestie's estat and crowne, which we acknowledge to be inseparablie conjoynned therewith, and to the commoun peace and weelefare of the whole countrie, as the Lord knowes; and that your Majestie would earnestlie consider what may be the intentioun and end of suche as have so subtillie and covertlie drawin your Majestie to exagitat these thornie questiouns and unnecessar, at suche tyme, wherin everie small appearance of distractioun of your Majestie, and your Majestie's course from the ministrie of the Gospell, and course therof, will give a deepe wound in the hearts of your Majestie's best subjects, and a great encouragement to the adversareis, whereby they may, and will doubtlesse be, bold to attempt to the highest, in this so great advantage which is presented to them upon this occasioun.

"For we perswade ourselves, that howsoever the first motioun of this actioun might have proceeded upon a purpose of your Majestie, to have the limits of the spirituall jurisdictioun distinguished from the civill, yitt the same is interteaned and blowne up by the favourers of these that are, and sall prove in end the greatest enemeis that ather your Majestie or the caus of God can have in this countrie; thinking thereby to engender suche a mislyking betuixt your Majestie and the ministrie, as sall by tyme take away all further trust, and in end worke a divisioun irreconcilable; wherethrough your Majestie might be brought to thinke your greatest freinds to be your enemeis, and your greatest enemeis to be your freinds, which the Lord forbid, for his merceis' sake.

"As lykewise, heereby to make your Majestie's affectioun toward the forefaulted erles manifest to the whole world, as if this

heate in your Majestie's part against the ministrie had proceeded upon occasioun of the kirk's insisting against the said erles; which out of all questioun is thought alreadie, and will be thought more and more questionlesse, if your Majestie insist in this forme.

"And, therefore, we most humblie beseeke your Majestie, seing there is no necessitie at this tyme, nor occasioun offered upon our part, to insist in the decisioun of intricat and unprofitable questiouns and processes, to the diverting of your Majestie's intentiouns and courses from against the adversareis upon the ministrie, albeit, that by the subtile craft of their favourers, and adversars of your Majestie's quietnesse, some absurd and almost impossible suppositiouns (which the Lord forbid sould enter in the hearts of Christians, lett be in the hearts of the Lord's messingers) be drawin in, and urged importunatlie at this tyme, as if the suretie and priviledge of your Majestie's crowne and authoritie royall depended upon the present decisioun therof.

"That, therefore, it would please your Majestie to remitt the decisioun therof to our lawfull assemblie, that might determine therupon according to the Word of God, and not to encroache upon the limits of the kingdome of Jesus, under whatsomever pretence; and to bend your Majestie's actioun, according to the present necessitie, against the commoun enemie of your Majestie's estat, and estat of religioun: for this, we protest, in the sight of God, according to the light that he has givin us in his truthe, that the speciall caus of the blessing that remaines, and has remained upon your Majestie and your Majestie's countrie, since your coronatioun, has beene, and is, the libertie which the Gospell has had within your realme. And if your Majestie, under whatsomever colour, abridge the same, directlie or indirectlie, the wrathe of the Lord Jesus sall be kindled against your Majestie and kingdome, which we, in the name of the Lord Jesus, forewarne your Majestie of, that your Majestie and counsell's blood ly not upon us.

"Charging likewise your Lordships of his Majestie's counsell and nobilitie, in the name of the Lord Jesus, to give his Majestie free and faithfull counsell; and as hitherto (to the honour of God, and

your Lordships' just praise) yee have keeped yourselves, both in counselling and actioun, free from all prejudice of the libertie of the Gospell, by laying anie injunctiouns upon the ministrie therof; so your Lordships would at this tyme wiselie and godlie foresee, that yee be not drawin in the guiltinesse of so great a sinne against the throne of Christ, by the craft of suche as have been subtillie seeking the thraldome of the Gospell, and now would lay the guiltinesse of their malicious devices upon your Lordships, as skugges of their iniquitie: but that by your advice, and credit at his Majestie's hand, all controverseis moved, or to be moved heeranent, be remitted to a free and lawfull Assemblie, that the same may be gravelie reasouned and concluded, with great evidence of the Word of God, as becometh, in a mater of so great weight, importing the brangling of a religioun established; wherin we assure ourselves, your Lordships sall doe acceptable service to God, and profitable to his Majestie and whole countrie."

The same day also, it was thought expedient, that, seing a new libell was intended against Mr David Blacke, and by his occasioun against the libertie of the Gospell, there sould be a new declinatour, fortified with evident and strong reasons, penned and used againe by Mr David, in his owne name, and in name of the whole ministrie of Scotland, who, for the best part, (even so manie to whose hands the former declinatour had come,) had subscribed the same, and sent it backe againe to the commissioners with all diligence and expeditioun, by the hand of one of their most faithfull and wise brethrein, according to the desire of the letter sent to the presbytereis throughout the realme. The tenour of the secund declinatour followeth:—

THE SECUND DECLINATOUR OF THE KING AND COUNSELL'S JUDICATOUR IN MATERS SPIRITUALL, NAMELIE, ANENT THE PREACHING OF THE WORD; GIVIN IN TO THE SAME AT EDINBURGH, THE 30TH OF NOVEMBER, BY MR DAVID BLACKE, IN HIS OWNE NAME, AND IN NAME OF THE WHOLE MINISTRIE OF SCOTLAND.

"Unto your Majestie and Lords of Secreit Counsell, in all ductifull reverence in Christ Jesus, humblie meanes I, Mr David Blacke, Minister of the Evangell, that where I am charged by your Majestie's letters again, as I am informed on Saturday last was, after noone, not personallie, or at my dwelling place, but at the Mercat Croce of the burgh of Edinburgh, by publict and opin proclamatioun, to compeere and answere for unductifull and calumnious speeches uttered by me in my publict sermons, made in St Andrewes, within thir three yeeres last bypast, against your Majestie, the queene your deerest spous, your Majestie's deerest sister the Queene of England, and the lawfull power and authoritie of all princes; as lykewise, against your Majestie's nobilitie, counsell, judges, and magistrats of this realme, as at more lenth is conteaned in your Majestie's said letters: Wherin, albeit the conscience of my innocencie upholdeth me sufficientlie against whatsomever calumnie of men, and that I am readie, by the assistance of the grace of my God, to give a confessioun, and stand to the defence of everie part uttered by me in my said sermouns, ather in opening up of the text, or in applicatioun therof, before your Majestie or counsell, or whatsomever person or persons that upon anie lawfull caus will crave a compt of that hope which is in me, in whatsomever place or maner, so farre as sall be required for cleering of the truthe, and maintenance of my ministrie, that may be done without prejudice of that libertie which the Lord Jesus has givin, and your Majestie has established in the spirituall office-bearers of his kingdome: Yitt seing I am this day, as I was this day twelve dayes, brought to stand before your Majestie, nobilitie,

and counsell, as a judge sett to cognosce and decerne upon my sermons and preaching of the Word of God, which, as it is spirituall in itself, and spirituallie to be teached, preached, and applyed, so it sould not, nor can not, be lawfullie tryed and judged by anie civill authoritie or judicatour whatsomever. And, therefore, howbeit I would not, nor cannot, refuse to be judged by your Majestie's authoritie and judicatour, in all causes and maters whatsomever, civill or criminall, belonging thereto, and humblie submitts myself in persoun, goods, and geir, with all duetifull reverence and obedience to all lawfull power and authoritie, as it becomes a ductifull and obedient subject.

"Yitt, neverthelesse, seing I am accused for the discharge of my spirituall ministrie, in the preaching of the blessed Evangell of Jesus Christ, and that before your Majestie, who not onlie is a Christian prince, and has established by lawes and acts of parliament the sincere religioun and spirituall jurisdictioun of the kirk; has confessed, sworne, and subscribed the same, als weill in the administration of doctrine as discipline, and has commanded, under all highest paine, the same to be confessed, sworne, and subscribed by all your faithfull leiges and duetifull subjects, to the good exemple of all Christiane princes, and exemple worthie to be remembred by all the posteritie; but also is, by the grace of God, endued with suche knowledge and understanding of controverseis in maters of religioun, and exercised from your tender yeeres, in hearing, reading, and meditating the Holie Scriptures, that no Christian prince in all Christendome, as I am perswaded, may justlie in lyke measure with your Majestie be compared; I darre not for my life, and cannot, unlesse I would wilfullie committ the crime of lese-majestie and high treasoun against the Lord of Glorie and crowne of Christ Jesus, but adhere to my former protestatioun and declinatour of your Majestie's civill judicatour, givin in by me the last tyme I compeered before your Majestie and counsell, and subscribed by the brethrein, commissioners of the Generall Assemblie, by reasoun the caus was commoun to all the ministrie. Which declinatour humblie then presented by me, I crave with all humili-

tie and reverence now to be read againe in your honourable audience, weyghed, and considered againe by your Majestie, nobilitie, and counsellers, no lesse nor if it were insert, word by word, within this present.

" Wherunto I adde now, for farther declaratioun, that as in all Christian kingdomes and commoun weales there sould be, so (praised be our mercifull God, and blessed be your gracious Majestie) there are two jurisdictiouns established by good lawes, and exercised in this realme. The one spirituall, the other civill: the one respecting the conscience, the other externall things; the one directlie procuring the obedience of God his Word and commandements, the other obedience unto civill lawes; the one perswading by the spirituall Word, the other compelling by the temporall sword; the one spirituallie procuring the edificatioun of the kirk, which is the bodie of Christ Jesus; the other, by interteaning justice, procuring the commoditie, peace, and quietnesse of the commoun weale, the which, having ground in the light of nature, proceeds from God, as he is the Creator, and so termed by the Apostle *Humana creatura*, 1 Pet. ii., vareing diverselie, according to the constitutiouns of men, the other, above nature, grounded upon the grace of redemptioun, proceeding immediatlie from the grace of Christ Jesus, onlie Head and onlie King over his kirk, (Ephes. i.; Coloss. ii.,) which is His spirituall bodie; from whose Spirit flow all spirituall gifts and graces; by whom are appointed all spirituall offices and functiouns, (1 Cor. xii.;) by whom are givin to the kirk, and effectuallie called, all spirituall office-bearers and ministers, (Ephes. iv.;) to whom He has concredited the preaching of the Evangell, (1 Cor. ix.;) whom He reproves and punishes, and of whom He craves a compt and reckoning of the transgressions of the people, (Ezech. xxxiv.; Exod. xxxii.;) whom He has placed in their spirituall ministrie over kings and kingdoms, to plant and plucke up by the roots, to edifie and demolishe, (Jerem. i.,) to cast doun strong holds, and whatsomever lifteth up it self against the knowledge of God, (2 Corin. ii. 10:) Unto these He has givin spirituall armour to that effect, and to take revenge of all stubborne

disobedience. *Ibid.* whom He has commanded not onlie to preache the Word, and to be instant in seasoun and out of seasoun, (2 Tim. iv.,) but also to cutt the Word aright, giving the duetifull part and portioun therof to everie degree and sort of men, (Mat. xxiv.; 2 Tim. ii.;) to admonishe, rebooke, convince, exhort, and threattin, (2 Tim. iv.;) to deliver unto Satan, (1 Cor. v.; 1 Tim. i.;) to bind the impenitent in their sinnes; to locke out and debarre from the kingdom of heaven, (Matt. xviii.; John xx.;) to whom He has givin the keyes of the kingdom of heaven, (Matt. xvi.,) and power to assemble themselves to this effect, (Matt. xviii. 1; Acts xv.; 1 Cor. xiv.;) promising His presence and assistance, (Matt. xxviii.;) and, to be short, the spirituall administratioun as He has putt it in their hands, making them judges, to try and cognosce in spirituall maters, (1 Cor. xiv.;) even so He chargeth them, with vehement obtestatioun, by the great God and glorious comming of the Prince of Pastors, (1 Peter v.,) to doe these things but respect of persons, with all attentioun, (1 Tim. v. 6; 2 Tim. iv.; 1 Pet. v.; Tit. ii.)

"And, therefore, in so farre as I am one (howbeit most unworthie) of these spirituall office-bearers, and have discharged my spirituall calling in some measure of grace and sinceritie, sould not, nor cannot, be lawfullie judged in spirituall maters, for preaching and applying the Word of God, by anie civill power, authoritie, or judge, I being an ambassader and messinger of the Lord Jesus, (Malachi ii.,) having my message and commissioun from the King of kings, as said is, and all my instructiouns sett doun and limited in the booke of God, that can not be extended, abridged, or altered, by anie mortall wight, king, or emperour, (2 Tim. iii.; Deut. iv.; Prov. xxx.; Revel. xxii.) And seing I am sent to all sorts of men, to lay opin their hid sinnes, to preache the law and repentance, the Evangell and forgivenesse of sinnes, and to be a savour of life unto life unto these that are appointed for life, and a savour of death unto death unto these that are appointed for death, (2 Cor. ii.,) my commissioun, the discharge and forme of deliverie therof, sould not, and cannot, be lawfullie judged by them to whom I am

sent, they being als both judge and partie, sheep and not pastors, to be judged by this Word, and not to be judges therof.

"For these reasouns, and authoriteis of Scripture, and manie others, which may be easilie brought furth to the same purpose, I humblie crave of your Majestie and honourable counsell, as is conteaned in my former declinatour, to be remitted to my competent judges, that is, the ecclesiasticall senat, with whom, if your Majestie please, yee may appoint some of your commissioners to be present, and to see justice done."

30 *Novembris*, 1596.

The which day, after incalling of the name of God, the houre of Mr David Black's caus approaching, the commissioners appointed Mr Robert Bruce, Mr Robert Pont, Mr Robert Rollock, Mr David Lindsay, and Mr Patrik Galloway, to present the articles before sett doun, and to assist the said Mr David in his actioun; in the meane tyme, the rest to be occupyed in confessing and trying furth of their wayes before the Lord, and everie one to another, which had most justlie procured suche troubles, that with penitent hearts and earnest motioun of the Spirit of grace, they might powre out their prayers to God. This exercise, most grave, profitable, and confortable, was continued till halfe houre to one, when, by the brethrein's returne, it was interrupted.

The brethrein returning, reported that a certane commouners for peace and agreement had entered in dealing with them, and had condescended upon certane grounds,[1] for obteaning wherof the said commouners for the king's part sould travell with his Majestie against after noone, and the said brethrein with the commissioners of the Generall Assemblie. But er the brethrein could be able to

[1] "*Nota.*—One of these grounds was, that they sould take up their declinatour used the last day, and the counsell their summons, and presentlie use a forme of protestatioun, and all sould be weill; the which was done before noone, wherof craftilie they catched this advantage, that they proceeded after noone to the interlocutor before the secund declinatour was used, as they alledge. But the truthe is, the said declinatour was givin in before anie voting to the interlocutor."—*Note in the original.*

take a little refreshing of meate, and meete again together, the king and counsell were sett doun again to proceed against the said Mr David Blacke; so that the treatie for agreement was slipped upon the part of the court. The brethrein, therefore, conveening again, prosecuted their exercise begunne before noone verie edificativelie and confortablie, with great motioun of the hearts of the godlie brethrein, and stirring up therof to prayer, till neere five at night.

At which houre, the brethrein appointed to assist Mr David, and to present their articles, returning, declared to the commissioners, and rest of the brethrein conveened, how God had vouchsafed of his grace wonderfullie to assist their brother, Mr David, in the whole processe of his accusatioun, with wisdome, courage, and utterance; and in like maner, the brethrein who assisted, namelie, Mr Robert Bruce.

That, notwithstanding the instant urging of the brethrein, the king would no wise suffer the articles to be read before the counsell; but, after he had read them himself in privat, withheld them, saying, the exhortatioun in the end therof to the nobilitie was seditious and untolerable; and yitt, as they understood, all was read therafter, articles and declinatour, with post haist, and rejected.

That, in conclusioun, his Majestie and Counsell had found them judges competent to all the points of the libell, excepting onlie that point of the religioun of England;—so scrupulous were they, and conscientious in meddling with maters spirituall and ecclesiastick.[1]

And so, ordeaning that the doctrine sould be directed against the said interlocutor, as against a mightie and strong hold sett up against the Lord Jesus for overthrowing the freedom of his Gospell,

[1] *Verba ipsa.* By their interlocutor, all in one voice find themselves judges competent to the whole causes, points, crimes, and accusations particularlie above specified, (viz., in the bodie of the libell;) as also, to all causes criminall or civill concerning the said ministrie or others whatsomever, his Hienesse' subjects, becaus the said crimes are treasonable and seditious, wherunto the kirk or presbyterie can be no wise judges competent.—*Note in the original.*

and giving heartie praise to God for the force and unitie of the Spirit among the brethrein, the meeting was dimitted that night, and appointed to be keeped the nixt day after the sermon.

Immediatlie after the dimissioun of the commissioners came the Treasurer and Proveist of Edinburgh, directed from his Majestie, who, craving conference with certan of the brethrein, namelie, Mr Robert Bruce, Mr Robert Rollock, Mr James Nicolsone, and Mr James Melvill, declared unto them how his Majestie, notwithstanding the proceedings against Mr David Blacke, by finding himself and counsell judges, and admitting of witnesses, yitt he meaned no rigour of justice or extremitie against the said Mr David; but rather, for satisfactioun of the brethrein, and interteaning of peace with the kirk, his Majestie would pardoun the said Mr David, providing the brethrein would bring doun the said Mr David to his Majestie, and caus him resolve his Majestie of the truthe of all the points libelled by the declaratioun of his owne conscience.

The brethrein, after consideratioun of the mater, answered, that if it were Mr David Blacke in his particular that were endangered or hurt onlie, or anie other of the brethrein, his Majestie's offer were thankfullie to be accepted of. But, seing it was the libertie of Christ Jesus' Gospell and kingdom that was so heavilie hurt and wounded in the discipline therof, by the proclamatioun and charge givin out on Saturday, and now, in the preaching of the Word, by usurpatioun of the judicatour therof by the interlocutor pronounced that day, it was a mater of suche importance and weight in the estimatioun of all the brethrein, that if the king had taikin Mr Blacke's life, and a dossoun of theirs with him, he could not have wounded the hearts of the brethrein more, nor done suche injurie to the Lord Jesus. And, therefore, ather these things behoved to be retreated and amended, or then the brethrein could no wise be content, but oppone themselves to suche proceedings, to the extremitie of their lives. With which answere the said messingers being verie muche moved, and rightlie instructed and per-

swaded of the weightinesse of the mater, which they had not perceaved before, they departed, and reported their answere to his Majestie that same night.

Wednisday, the 1st of December, 1596.

The which day, which was the morne after, be tymes in the morning there came a gentleman of the king's chamber to one of the brethrein, and, raising him out of his bed, shew how his Majestie, after receaving of the answere yesternight, was verie muche moved, and had thought upon that mater all night, with little rest; requeisted, therefore, that the dint of the doctrine might stay that day, and he doubted not but his Majestie would satisfie them. It was answered, that the doctrine could not be blunted, unlesse there were an evident appearance of amending the wrongs; for the brother to teache had God to answere to, in a good conscience, and his brethrein's expectatioun, whom he would not offend, for pleasuring of all the kings of the earth. The gentleman answeres, he sould make haste, and gett his Majestie's minde in particular, if it could be before the doctrine, and, for that effect, requeisted the brother to goe doun with him. The said brother, accompanied with another, past doun, and, after conference with two of his Majestie's chamber, were by them, at his Majestie's desire, brought in to his Majestie immediatlie after his prayer after rysing; who, after they had shewed his Majestie the greeves of the kirk, &c., they receaved his Majestie's minde for remedeing therof, to be communicated with the commissioners and brethrein.

In the meane tyme, the doctrine past fordward, and sounded mightilie by the power of the Spirit accompanieng the brother that day; as to the great praise of God be it marked, the Lord's assistance in unitie, and force of spirit in doctrine, with all the brethrein in privat and publict actiouns, was in so great measure as sould not be forgett, but remembred alwayes, to make men upright, faithfull, constant, and couragious in the caus of Christ, who, according to his promise, will be present with them by the powerfull confort and

joy of his Spirit, that intend to serve him in holinesse, and glorifie his name aright in the world.

After the doctrine, the brethrein, commissioners, and others, being conveenned, after incalling of the name of God, the two brethrein foresaid, accompanied with a thrid also, who by occasioun was present and heard the king, recompted to the commissioners his Majestie's minde and offers; the which being desired to be amended in some points, and sett doun in writt, were ordeaned to be read again before the brethrein, who were not a little rejoiced for the alteratioun of his Majestie's minde and good dispositioun therof, for the weale and peace of the kirk.

THE ARTICLES AND GROUNDS OF AGREEMENT BETUIXT HIS MAJESTIE AND THE COMMISSIONERS OF THE GENERALL ASSEMBLIE.

That the king's Majestie sould declare his meaning tuiching the greeves of the kirk, as followeth:—

"Tuiching the greeve of the ministrie meanned to us, making mentioun that in an act made by us in our counsell at Edinburgh, the 24th day of November, 1596, and charge raised therupon for discharging of the commissioners of the Generall Assemblie, they thought themselves prejudged in the libertie and power of their assemblies granted unto them by the Word of God, and approved by our lawes, and wherof they have beene in continuall possessioun since the reformatioun of religioun; craving, therefore, of us our declaratioun theranent for cleering our intentioun and good minde toward the maintenance of the spirituall jurisdictioun of the kirk, als weill for the satisfactioun of the ministrie, as likewise of the whole rest of our good subjects: Therefore we, with advice of our Secreit Counsell, by the tenour hereof declare, that in the said act we intended nor meaned not, nather yitt intend nor meane, to discharge anie assemblie of the kirk, nor acts or conclusiouns therof; but that the same standeth, and sall stand, in full strenth, force, and effect, according as they have beene in use therof by the war-

rant of the Word of God, and approbatioun of his Majestie's lawes, agreeable therunto; and whatsoever prejudgeth, or may prejudge, the same in the said act of our counsell, we declare the same, in so farre, to be in the self null, and of no availl, force, nor effect.

"Nixt, that a proclamatioun be made and published heerupon, conteaning, likewise, a declaratioun of the act made at Edinburgh the 24th of November, and published by opin proclamatioun at the Mercat Croce of Edinburgh, the 27th of November, tuiching the discharging of convocatioun, and assembling at the desire of the ministers, or extending the same to the convocatioun of barons and gentle men in armes onlie, and no wise to anie ecclesiasticall conventiouns.

"Last, that his Majestie declare that the interlocutor in the processe intended against Mr David Blacke, finding his Majestie and counsell to be judge of certan speeches uttered by him in his sermons, stand over, and not be used in anie actioun intended, or to be intended, against the said Mr David, or anie minister, tuiching his doctrine or applicatioun therof in his preachings, whill it be fullie reasouned and concluded by the evidence of the Word of God in a lawfull Generall Assemblie, whether if his Majestie in anie respect may be competent judge therin or not."

Thursday, the 2d of December, 1596.

The which day, after incalling of the name of God, the foresaid articles and grounds of agreement being read before the commissioners and remanent brethrein, were agreed unto, and thought meete to be sett doun to his Majestie, to see if that was his Majestie's meaning.

The brethrein resorting to his Majestie, found his Majestie weill content therewith in effect, saving certane words, which his Majestie caused presentlie be altered; and farther, at the desire of the brethrein said, he would agree to the abolishing of the said acts, and not suffer them to be imbooked, being perswaded by the

reasouning of the brethrein, that they being extant, might be copied, and sent to other countreis, and so be hurtfull to his Majestie's estimatioun amongst the godly within and without his Majestie's realme. Also, his Majestie offered, of his owne accord, to write to the presbytereis, and satisfie them anent the said interlocutor, receaving of them a band of duetifulnesse in their doctrine on the other part.

And as for Mr Blacke, he sould be brought doun to his Majestie, and declare his conscience anent the points of the libell, before Mr David Lindsey, Mr James Nicolsone, and Mr Thomas Buchanan; and whatsoever therafter they thought meete to be done, his Majestie sould be content therewith.

But the said brethrein comming doun with the said Mr David after noone, found his Majestie altered by certan of the Octavians, and others that God knowes, so that he sent Mr David Lindsey to Mr Blacke, and craved of him to accord to come before the counsell, and there confesse an offence done to the queen at least, and so receave pardoun, &c. The which Mr David refused alluterlie to doe, least he sould condemne himself, and approve their judicatour and proceedings, which were most unlawfull and unequitable, both in that they had taikin upon them to judge of his sermons, and in proceeding of their judicatour, notwithstanding of most ample testimonialls of proveist, bailiffes, counsell, and sessioun of his kirk, and of the rector, deane of facultie, principalls of colledges, regents, and whole members of the universitie, his daylie auditors, produced by him before them; as yitt leaving and rejecting the same, they had summouned and admitted a certan of ignorant and partially affected people, hardlie putt at by him, and under the danger of the censures of the kirk, to beare witnesse *in tanta testium idoneorum copia*, which cleerelie declaired the evill meaning and unjust intentioun in their proceedings. And, therefore, he would in no jote acknowledge them, nor confesse a fault, how light so ever. But if it would please his Majestie and counsell to remitt him to his lawfull and ordinarie judge, the senat ec-

clesiastick, he sould willinglie declare the truthe in everie point, and suffer whatsomever maner of tryell it pleaseth them to use. And if they found anie fault, ordeaned him to crave his Majestie, Queen, and Counsell, forgiveness, or whatsoever they decerned against him he sould obey with all his heart.

So, it being reported to his Majestie that Mr David was not disposed to satisfie in that forme, he past to counsell, called Mr David; who not compeering, they proceed in counsell against him, read the depositioun of the witnesses, find the libell proved, convict Mr David therof, and referre the penaltie to the king's will and pleasure.

Fryday, the 3d of December, 1596.

The which day, the doctrine sounded in the old maner, which had beene discreitlie used the day before. The commissioners being therafter conveenned, after incalling and praising of the name of God, the king called for the brethrein with whom he had conferred the day before, who comming up to him to the Tolbuith, his Majestie compleaned of the doctrine so uttered in tyme of conference. It was answered, that there was not so muche spokin as there was caus to speeke, in respect his Majestie had altered with them, &c., and had proceeded against Mr Blacke, and caused registrat the acts, interlocutor, and whole processe of Mr Black's actioun.

The king answered, that it was reported to him by Mr David Lindsey that Mr Blacke would not consent to doe as was agreed upon before noone, so that it failed on their side. It was answered, if Mr David had so said, he had done wrong, and had no commissioun of the brethrein, nor Mr Blacke, to say so; for Mr Blacke had come doun, and was readie to satisfie his Majestie, as was accorded before noone; onlie he had justlie refused to come before the counsell, and acknowledge a fault, which was not required of him before noone.

After long reasoning they returned to the articles and grounds of agreement; and there was produced a forme of a declaratioun

upon the proclamatioun, also a declaratioun anent the charge, together with a missive to the Presbyterie of Edinburgh anent the interlocutor.

All the which formes and declaratiouns, the brethrein, after they had caused diverse things be amended in them, at last receaved, to communicat with the commissioners and brethrein who awaited upon their returning.

The which being read and considered by the said commissioners and counsell of the brethrein, they found them no wise meete to repaire the hurt and injureis which the kingdom of Jesus Christ had receaved, but rather indirectlie to confirme the same; and therefore appointed certan to penne suche formes as might be able to repaire the kirk's domage, and yitt, so farre as possible could be, to have respect to his Majestie's honour and satisfactioun.

It was thought meete also, in end, that the brethrein sould speeke his Majestie again, and see how muche they might obteane, being most willing to be at peace with his Majestie, if anie way they might passe over the present with a safe conscience, fearing the most dangerous inconveniences that might ensue, upon the disagreing of the kirk and his Majestie, to the exercise of the kirk for a while, but to his Majestie's utter overthrow and wracke in the end: Charging, therefore, the said brethrein to show the same unto his Majestie in a most grave and loving maner, and to travell by all reasouns and perswasiouns with his Majestie, for peace and agreement in Jesus Christ.

Saturday, the 4th of December, 1596.

The which day, after incalling of the name of God, the brethrein directed to his Majestie, viz., Mrs James Nicolsone, Thomas Buchanan, and James Melvill, reported how his Majestie had left his going to his pastyme of hunting, and givin them larger tyme of conference, even from his rysing till that houre, which was almost ellevin; and that they had uttered their mindes, and discharged the commissioun receaved, at great lenth, and als faithfullie, fec-

fullie, and plainlie, as in them lay; and that in end, his Majestie had condescended this farre, praying the commissioners and brethrein of the counsell to heare the heeds propouned patientlie and tentivelie, and give their judgements, if maters might be so past over for the tyme; declairing, that, in their opinioun, it was not in malice that his Majestie dealt, nather yitt obstinatlie against a truthe cleered unto him, but ignorantlie, and upon evill grounds, which by the Bishop of St Andrewes, of unhappie memorie, were putt in his young breast, and had not beene taikin away by cleere and painfull dealing sensyne; and, therefore, behoved to have tyme and paines imployed for removing therof, and planting of the contrarie grounds of veritie, lyke as his Majestie offered to heare conference at all tymes, &c.

With these and other arguments, namelie, the tendering of his Majestie's estat, and care of his standing in God, the commissioners and brethrein, muche moved, heard and concluded the points and grounds of agreement following:—

1. That his Majestie was content to caus delete the foresaid acts, wherupon the proclamatioun and charge did proceed, by writting on the margent of the booke, according to the custome of deleting acts, "This mater is agreed otherwise, and therefore deleted;" and that the narrative of the proclamation naming the ministers sould be amended, and in place therof, putt in the Papists, and evill affected persons, enemeis to the true religioun, kirk, and countrie; and being voted among the brethrein, whether this might satisfie, tuiching that point, for the tyme, it was concluded it might.

2. Tuiching the processe led against Mr Blacke, his Majestie sould offer, by writt, to differre to use or alledge the preparative or vertue therof, nather against the said Mr David, nor against no other minister, untill it were decided by a lawfull assemblie, whether he clamed that which was his right or not; and if by Scripture or good reasoun he might be moved to leave that clame, he sould quite it; and farther, that he never meant to call anie of the ministrie before the counsell again, but ather privatlie before

himself, or certan of the brethrein, whom he sould call for that effect. The which, in like maner, being put in voting, if it might satisfie for the tyme, it was concluded it might.

3. That his Majestie craved writt, conforme to the act of the Generall Assemblie, that the brethrein sould not speeke unreverentlie of him nor his counsell; the which also being voted, it was concluded it sould, and some brethrein appointed to sett down the forme therof. And so, the forenamed brethrein were directed doun again to his Majestie, hoping, that by advice of certan of his best affectioned counsellers, as the brethrein had required, the mater sould be agreed.

The same day, after noone, the brethrein foresaid entered in conference with his Majestie and certan of his counsellers, viz., the Secretar, the Treasurer, and Sir George Hume, who all seemed verie weill affected. It was agreed in short tyme of conference, upon all the former points, except anent Mr Blacke, concerning whom it was craved, that some penaltie by the brethrein sould be condescended unto, for satisfeing his Majestie, for his honour, and in favour of the queene, in respect that the speeches were sufficientlie proved against him. It was replyed concerning the judicatour and forme of probatioun, *ut supra*, and that for that same caus, the brethrein could not condescend to no sort of penaltie, how light so ever, least thereby they sould seem anie wise to approve the unlawfulnesse of the judicatour, and iniquitie of proceeding; but if his Majestie would annull the judicatour and processe, and suffer Mr David to be tryed by his owne judge of his speeches in his sermons, that is, the ecclesiastick senat, his Majestie being present therein, or anie his Majestie thought meete to appoint to see justice done, and the said Mr Blacke being found to have spokin amisse, he sould not escape the most severe censure that his offence could deserve.

So, after long dealing to and fro, till more nor five houres, the mater was differred till Moonday, against the which, his Majestie sould be better resolved concerning Mr Blacke, and appoint certan of his counsell to show his minde theranent. In the meane tyme,

his Majestie craved truce in the doctrine, for he feared the applicatiouns, becaus of the generall fast.

The which being that same night reported to the commissioners and brethrein, they accorded to the truce, and leaving off the sharpenesse of applicatioun, studeing alwayes to peace, and hoping for agreement: Onlie resolved to move the people to pray earnestlie for his Majestie, that he being throughlie joyned with the kirk of Christ Jesus, might sett all their forces against the commoun enemie, the Spaniard without, (whose preparatioun his Majestie assured the brethrein to be verie great,) and the Papists within our owne bowells.

Moonday, the sixt of December, 1596.

The which day, after incalling of the name of God, the brethrein that conferred with his Majestie being sent for, to confer with the Lords of Counsell, past to them at the directioun of the commissioners. There were the Secretar, the Treasurer, and Laird of Colluthie, who agreed with them in all the points, except anent Mr Blacke and his actioun. Wheranent, when they had reasouned a while, it was thought good, for helpe of the mater, that they that were the reasouners sould goe doun, and intreat the queen's Majestie for contentment and favour.

The same day, after noone, they past doun to the queen, who accepted of all most graciouslie; and as concerning their sute, she answered, that not onlie would she pardoun whatsoever fault done against herself, but also would interceed by her requeist to his Majestie.

Tuisday, the seventh of December, 1596.

The which day, after incalling of the name of God, the brethrein reported the queen's answere; therafter, the king's letter directed to the presbyterie was read, and found no wise sufficient to satisfie the desire of the commissioners; and, therefore, a certan were named to penne suche a forme of letter as might serve, the tenor wherof followeth:—

"Forasmuche as the commissioners of the Generall Assemblie, and rest of the brethrein of the ministrie conveenned, alledge the interlocutor pronounced the last of November, in the actioun of Mr David Blacke, whereby we and our counsell are found judges competent in the whole causes, points, crimes, and accusatiouns, particularlie specified in the libell against the said Mr David, to be verie prejudiciall to the libertie of preaching of the Word, and spiritual power of Jesus Christ, allowed and established by the lawes of parliament; we, most willing to keepe unitie and peace in our whole estat, speciallie with the pastors and ministers of the kirk, as also, to hold our selves free of anie suspicioun that may arise on our part, that we sould be minded to abridge the liberteis of the kirk, warranted by the Word, and allowed by our lawes, are content, and by the word of a prince faithfullie promitt, that the said interlocutor, nor nothing depending theron, sall no wise be used by us against the said Mr David, or made a preparative against anie minister within this realme, untill the questioun moved anent the limits of the two jurisdictiouns, civill and spirituall, be first freelie reasouned, defynned, and fullie resolved, in a Generall Assemblie of the kirk, lawfullie conveened to that effect, by whose resolutioun we promise to abide. And if it sall happin anie minister to be delated to us heerafter in like sort, we sall friendlie and familiarlie send for him, and absteane from all judiciall proceedour against him, except we find it convenient to remitt him to his presbyterie, or others his ordinarie judges, assembleis of the kirk, to be censured as accords; wishing you to doe your duetie to us, as yee are obliged, procuring obedience of the people to God and us, the quietnesse of the whole estat, and keeping in all your sermons the bound prescribed to you by the Word of God, and act of the Generall Assemblie holdin at Dundie; and to send us your hand writts therupon, that if anie man sall be found to doe in the contrare we may see him censured, according to the said.

"From Halyrudhous, the * * day of * * &c."

The same day, being the day of the Presbyterie of Edinburgh,

the act therof which his Majestie craved, was penned and agreed unto by the whole presbyterie and commissioners of the Generall Assemblie, the tenor wherof followeth:—

"*At Edinburgh, the seventh of December*, 1596.

"The which day, after incalling of the name of God, the moderator and remanent brethrein of the Presbyterie of Edinburgh, considering how necessar it is that the prince, and suche as are placed in authoritie, have all due honour, reverence, and estimatioun with his subjects, wherethrough they might with the greater care and readinesse of minde, for conscience sake, give their subjectioun and obedience, as to the ordinance of God, and that all occasiouns which justlie might hinder or impaire the same be carefullie removed, and all that by sinister constructioun of the ungodlie might be perverted and drawin to that end so cleered, that Satan thereby could have no advantage; and perceaving that the libertie of admonitiouns, which are at diverse tymes givin to his Majestie and counsell, from pulpit, in publict audience of the people, are interpreted and taikin by some (namelie, suche as have their heart sett upon his Majestie's disgrace, unquietnesse of the countrie, and hurt of the caus of God) as arguments of mislyking, and distrusting his Majestie's affectioun in the upright course, and tending to the contempt and disgrace of his Majestie's authoritie and person with his subjects, whereby dangerous suspiciouns are engendred and fostered betuixt his Majestie and his good subjects, to the great encouragement of the ungodlie, and perrell of the good caus: Therefore, the said presbyterie, willing, according to their bound duetie, by all meanes to testifie their duetifull affectioun and care toward the maintenance and advancing of his Majestie's authoritie and honour, by these presents declare, in the sight of God, before whose eyes their hearts are manifest, that their intentiouns have beene, are, and sall be, God willing, to their lives' end, in all sinceritie, to procure his Majestie all blessing and prosperitie by their prayers at the hand of God, and all due honour and obedience, by their exhortatiouns and good exemple, at the hands of his subjects; acknowledging this to be most acceptable before God, their Saviour; and ordeans everie

one of the said presbyterie to imploy himself fullie, according to his calling, for that effect; and that they committ nothing in the contrare, upon whatsomever pretence, under all highest paine that may be incurred by the discipline of the kirk, according to the qualitie of the offence; and in speciall, that none utter from pulpit anie rash or unreverent speeches against his Majestie, the queen's Majestie, and his Majestie's counsell, or their lawfull and godlie proceedings; but that all their publict admonitiouns tend to the glorie of God, and edificatioun of their flockes and auditors, and proceed upon just and necessar causes, and with sufficient warrant, in all feare, love, and reverence, under the paine of depositioun of suche as doe in the contrare from their functioun and office in the ministrie. And for the better observing heerof, it is ordeanned, that the moderator and whole presbyterie subscribe these presents with their hand."

The formes of proclamatiouns appointed to be penned by some of the brethrein were likewise heard and allowed, the tenor wherof followeth:—

"Forasmuche as it is understood to his Majestie, that his Hienesse' proclamatioun, made the 24th of November last bypast, is mistaikin by a number of his Majestie's subjects, as though the same discharged all meetings to the hearing of the Word preached, and all maner of assistance of barons, gentlemen, and others whatsomever, with the ministrie of the kirk in their lawfull assemblie, which was never, nor is not his Hienesse' intentioun; therefore his Majestie, with advice of the Lords of the Secreit Counsell, declairs, that the foresaid proclamatioun extends onlie unto the unlawfull convocatioun of barons, gentlemen, and others his lieges, in armes, and no wise to the discharge of Presbytereis, Synods, and Generall Assembleis, or other ordinar meetings allowed by the Word of God and lawes of this realme; and, therefore, his Majestie, with advice foresaid, ratifeis and allowes the said Sessiouns, Presbytereis, Synodall and Generall Assembleis, and other ecclesiasticall meetings, as they have beene used of before, and as they are established by the acts of parliament; and ordeans letters to be directed.

"Forasmuche as, albeit his Majestie being hardlie informed of

the commissioners of the Generall Assemblie presentlie conveenned in Edinburgh, and their proceedings, caused an act of Secreit Counsell to be made, annulling the commissioun givin to them in the last Generall Assemblie, and, therefore, charges were directed to certan of the brethrein of the ministrie speciallie named within the said commissioun, charging them to depart to their several flockes and congregatiouns, and no wise to come within the toun of Edinburgh, or in anie other place or places within this realme, without his Majestie's licence had and obteaned thereto: Yitt his Majestie, considering the great danger wherin the estat of religioun presentlie standeth, by the diligent traffiquing of enemeis, forraine and domestick, against the same, and that it will be no small encouragement to the said enemeis to have the commissioners discharged, who are meete for resisting of their courses, find it no way convenient to put the said act or letters raised theron in executioun; but has allowed, and his Majestie, with advice of the Lords of his Secreit Counsell, ratifies and allowes the said commissioun, in all the points and articles therof, and ordeans the samine to stand in the owne force and strenth to the nixt Generall Assemblie. As als, his Majestie declairs, it was never, is, or sall be his Hienesse' intentioun to impugne any of the liberteis of the kirk warranted by the Word, and allowed by the acts of parliament, speciallie the freedom of their meetings in Presbytereis, Synods, and Generall Assembleis, but rather to defend the same to his utmost, and to persecute the enemeis of the religioun, and of the liberteis therof, with all extremitie; and ordeans letters to be directed."

The brethrein directed to his Majestie before noone [were] ordeaned to goe again, and crave these formes above sett doun to be accepted of, otherwise they could not be satisfied in conscience, nor thinke the wounds which the kirk of Christ Jesus had gottin to be healed.

Wedinsday, the eight of December, 1596.

The which day, after incalling of the name of God, in a verie frequent Assemblie of brethrein out of diverse provinces of the

countrie joyning with the said commissioners, the brethrein directed to his Majestie reported answeres as followes :—

1. Anent the forme of letter sett doun by the brethrein, which his Majestie sould send to the presbytereis, the king, in presence of counsell, refused to grant, becaus it imported an indirect annulling of the interlocutor, as was alledged by the president.

2. Anent the act of the Presbyterie of Edinburgh, it was not thought sufficient, becaus it conteanned not a simple band of not speeking against his Majestie and counsell, but limited, with certane conditiouns, which would ay come in questioun, and turne againe to the controversie of the judicatour.

3. The formes of proclamatiouns penned by the brethrein were refused, becaus they imported a plaine retreating of the former proclamatiouns, and acknowledging of an offence.

4. Tuiching Mr David Blacke, his Majestie would no wise passe from the interlocutor pronounced in his caus, nor grant to suspend the executioun of the same, till the Assemblie Generall; but the punishment therof being in his will, he would declare it in privat to the brethrein.[1]

The which his Majestie did to this effect, that howbeit he might punishe rigorouslie, according to the qualitie of the cryme proved, yitt he would content himself with transportatioun, or suspensioun of Mr David for a certane space. The which when the brethrein answered, they could not agree unto, for the reasons above rehearsed, his Majestie craved, in end, to be resolved of the truthe of certan speeches, namelie, anent the treacherie of his heart disclosed, and that all kings were the devill's barnes; and that in this maner there sould be givin unto him a twentie or five-and-twenty names of men indifferent, and of the best judgement, of Mr David's auditors, out of the which he sould choose seven or eight, whom he

[1] *Nota.*—The president that night wan great favour and advancement in the cancellariat, by putting in his Majestie's head that he could not be in the undoubted possession of the judicatour of the ministers, by the preparative of Mr Blacke, unlesse upon the sentence pronounced there followed a punishment; and that stayed the king from agreeance.—*Note in the MS.*

would call for and examine in privat, upon their conscience, and by their depositioun be resolved, and in the meane tyme, the said Mr David sould desist from preaching. The brethrein answered, they had no commissioun, but to desire the formes givin in to be accepted and past. Alwise, they sould report his Majestie's answeres to the commissioners and brethrein.

Thursday, the 9th of December, 1596.

The which report being made, the brethrein perceaving nothing but shifting and drift of tyme, whereby the motioun of the Spirit was abated in the brethrein, and the enemeis overseene, and suffered to compasse their intentiouns, thought it no wise good that anie farther commouning sould be used, but that a grave commissioun sould be directed to his Majestie, shewing, that seing the brethrein had most humblie sought redresse of the greeves and wrongs which the Lord Jesus in his kingdom had receaved of late, by the proclamatioun, charge, and interlocutor, and whole processe prosecuted against one of their most honest and faithfull brethrein, for interteaning peace and good lyking betuixt his Majestie and the kirk, and had beene most willing to condescend to anie conditiouns that might have but mitigat the wounds which the said kingdom of Christ had receaved, untill therafter they might have beene throughlie cured, and that, to the intent the whole forces, both of his Majestie and of the kirk, might be turned against the commoun enemie; and yitt that could no wise be obteaned, but by the contrare, the enemeis favoured and spaired, and the faithfull pastors of the kirk reviled and persued, they sould protest before God they were free of his Majestie's blood, and whatsoever sould ensue and come upon his realme, in the righteous judgements of God. For as to them and the remanent of their brethrein, the pastors of the kirk, and office-bearers in the kingdom of Christ Jesus, they durst not, for feare of committing of high treasoun against the spirituall King and Lord, absteane anie longer from fighting against suche proceedings, with that spirituall armour givin to them, potent, in God, for overthrowing of these bulwarks and

mounts erected and sett up for the expugning and sacking of the Lord's Jerusalem.

Tuisday, [*Friday ?*] *the* 10*th of December,* 1596.

The which day, after incalling on the name of God, compeared Mr David Blacke, and produced a copie of a charge which he had presentlie receaved of a macer, charging him to waird, the tenour wherof followes :—

"*Apud Halyrudhous,* 9 *Decembris,* 1596.

"The king's Majestie, with advice of the Lords of Secreit Counsell, for certan causes and considerations moving his Hienesse, ordeans the macer of counsell, or other officer of armes, to passe, and in his Majestie's name and authoritie command and charge Mr David Blacke, minister at St Andrewes, to passe and enter his person in waird, in a part by-north the North Water; and to remaine and keepe waird by-north the said water, upon his owne expences; and no wise to repaire by-south the said water, ay and whill his Hienesse declare his will and minde toward him, tuiching certane treasonable, indiscreit, slanderous, and seditious calumneis and speeches uttered by him against his Majestie, his deerest bedfellow, his nighbour princesse, his nobilitie, counsell, and sessioun, to the fostering and raising up of trouble, and of his Hienesse' subjects, to a convocatioun and insurrectioun against his Majestie, to the disquietting of the estat, particularlie mentiouned, in a decreit of Secreit Counsell givin against him therupon, within six dayes nixt after he be charged thereto, under the paine of rebellioun, and putting of him to the horne; and in cace he failyie, the said six dayes being bypast, that the said macer, or other officer of armes, incontinent therafter denounce him our rebell, and putt him to the horne and escheat, and imbring all his moveable goods to his Hienesse' use, for his contemptioun."

The same day also, Mr Peter Blekburne, minister at Aberdeene, declared to the commissioners, whill he and Mr David Cunninghame, called Bishop, were called by the king, and inquired if

there was conference betuixt certane barons, in the name of the Erle of Huntlie, and certane brethrein of the synod, who answered, that there was conference, but had referred the conclusioun to his Majestie and the Generall Assemblie. Therafter, being called before the counsell, they declared the same. The which doing, his Majestie and counsell allowed, and gave licence to deale farther with the said erle.

The which being heard of the brethrein, they found fault with the doings of the brethrein of the said Synod of Aberdeene, in so farre as they had writtin over to them, forbidding them to doe anie thing in the said mater: 1. In that they promised conference upon the king's licence, without mentioun of the kirk. 2. In that they promised to report the said conference betuixt them and the erle's freinds. Therefore the commissioners ordeaned them to desist from anie further dealing with the said erle's freinds untill the tyme the advice and licence of the whole kirk, in Generall Assemblie, were craved and obteaned.

Saturday, the 11th of December, 1596.

The which day, it was lett the commissioners understand that there was a great number of missives writtin, and readie to be directed throughout the countrie, for calling of a conventioun of estats and Generall Assemblie, the copie wherof followeth:—

"We greet you weill.—As we have ever caried a speciall good will toward the effectuating of the policie of the kirk, wheranent we have often tymes had conference with the pastors and ministrie, so we and they both, resolving now, in end, that the whole order of the said policie sall be particularlie condescended on and agreed, for avoiding of sindrie questiouns and controverseis that may fall out theranent, to the slander and danger of religioun: We have, for that effect, appointed, als weill a generall conventioun of our estats, as a Generall Assemblie of the ministrie, to hold heere in Edinburgh, upon the fyft day of Februar nixtocum, to treate and resolve anent all questiouns standing in controversie and difference betuixt the civil and ecclesiasticall judgement, or anie wise con-

cerning the policie and externall governing of the kirk. And therefore will we effectuouslie requeist and desire you, that yee faile not, all excuses sett apart, to be present at our conventioun, the day and place foresaid preciselie, to give your best advice and opinioun of that mater, as yee tender the effectuating therof, respect the weale of religioun and estat, and will show yourself our duetifull and affected subject. So we committ you in God's protectioun.

"From Halyrudhous, the * * day of December, 1596."

Sunday, the 12*th of December*, 1596.

Being the Sabboth, a fast was keeped, and the doctrine sounded powerfullie, and stirred up a mightie motioun amongst the people of God, to deteast the wicked proceedings, and call earnestlie to God for redresse. In the meane tyme, the same day, in the Abbey, was keeped a feast of the queene's nativitie, lyke as all the fasting dayes preceeding, which were diverse. The king would suffer no abstinence in his hous, howbeit intimated from his owne pulpit by his ministers.

Moonday, the 13*th of December*, 1596.

The which day, after incalling of the name of God, the commissioners of the Generall Assemblie thought good to direct some of the brethrein to his Majestie, and crave a commissioun to be passed to a certane of the lords and ministers, to sitt upon the modificatioun of stipends according to the yeerelie custome.

Tuisday, the 14*th of December*, 1596.

The brethrein sent to his Majestie reported his Majestie's answere was, that suche as would acknowledge his authoritie, and then to be his subjects, sould have their pensiouns; but he would give no fee to suche as would disclame his authoritie and obedience. It was answered, all would be, and continue his Majestie's most duetifull and obedient subjects, and lyke as none in the land had proved better: indeid, in his Majestie's greatest straits, what was the affectioun and loyaltie of their hearts toward his Hienesse, so

none sould goe before them in all duetie in God, in tyme to come. The answere was, his Majestie behoved to have a prooffe of obedience, by subscribing a few lynes which he would sett doun in writt; the which who would doe sould have their stipends, otherwise, not. The which writt they sould receave the morne, once in the day.

The same day, the commissioners of the Generall Assemblie gave their advice, and earnestlie exhorted the Presbyterie of Edinburgh, as they would answere to God and his kirk, tuiching the discharging of their duetie in so necessar and dangerous a tyme, that they sould call before them suche persons of highest ranke, namelie, as are knowne, or may be found, to be malicious enemeis against the ministrie and caus of Jesus Christ, in their hands, and to proceed against them to excommunicatioun.

The same day also, by sound of trumpet and publict proclamatioun at the Mercat Croce, the charge before imbooked, givin out against the commissioners, was proclamed, and so they charged to passe off the toun within 48 houres. Wherupon the brethrein reasoning, if obedience sould be givin thereto, concluded it was leasome to disobey anie suche unlawfull charge; but in respect of diverse circumstances, it was not expedient to disobey for the present, namelie, becaus other good brethrein might succeed to suche as were discharged, and soe the worke goe fordward.

The same day also, the ministers of Edinburgh declared to the commissioners how they were lett to understand for certane that there was cruell violence intended against them, even to take them out of their pulpits; craving the advice of the brethrein theranent: who gave this advice, that they sould meane that mater to their flockes, who, if they would keepe them from violence, they sould stand to the discharge of their calling; otherwise, it was lawfull for them to give place to suche furie, and not endanger their lives, that might be reserved to a better tyme, for the worke of God's grace, and salvatioun of his people, &c.

The same day also, the commissioners, fearing the heavie tentatioun of povertie might prevaile over the weake and ignorant, and

move them to condescend to subscribe the forementiouned writt, which might be sett doun in generall faire termes, and yitt captiouslie import the judicatour of preaching of the Word; therefore, for due and full informatioun and strenthening of the said brethrein, they thought it most needfull and requisit, that a declaratioun of the whole proceedings of the commissioners sould be tuiched, and cleerelie sett doun in writt, and a copie therof sent to everie presbyterie, together with a letter from the said commissioners. The which being done, the said commissioners sould returne to their owne particular charges, and give place to others.

A DECLARATION OF THE COMMISSIONERS OF THE GENERALL ASSEMBLIE'S PROCEEDINGS, ANENT THE PETITION PROPONED BY THEM TO HIS MAJESTIE, FOR ORDER-TAKING TO PURGE THE LAND OF THE EXCOMMUNICATED IDOLATROUS ERLES; AND CONTROVERSIE FALLIN OUT BY OCCASION THEROF.

"Forasmuche as the lawfull and godlie proceedings of the commissioners of the Generall Assemblie conveened at Edinburgh, in the moneth of October, November, December, in the yeere 1596, for preventing the great and manifold dangers imminent to the estat of true religioun, the whole commoun weale, and estat of his Majestie's crown and person, have beene, and are publictlie traduced by infamous acts, libells, and proclamatiouns, as being against the lawes both of God and man, wherethrough the adversareis of the truthe might take advantage, to beare doun the good caus of God, and credit of the ministers therof, and the consciences of the infirme wounded, if the truthe of the said proceedings were not manifested, and the sinceritie of the commissioners cleered openlie, and made evident to the consciences of all: Therefore, they have thought it necessar, and their bound duetie, to sett doun the substance of their whole proceedings summarlie, in the discharge of the said commissioun, which they will avow before God and the world to be the simple truthe: Craving, therefore, that it may be lovinglie heard, and

have credit of all their faithfull brethrein, against whatsomever calumneis uttered in publict or privat, to the derogatioun therof.

" And first, tuiching the occasioun and warrant of their meeting: It is of veritie, that the last Generall Assemblie, holdin at Edinburgh in the moneth of Marche, considering that the iniquitie of the land was even then, in all appearance, come to that hight that could not be long unvisited in the Lord's justice, found it necessar that the said commissioners sould, at all evident occasiouns of the approaching wraith, assemble themselves, to consult, reasoun, and advise, &c., and propone articles to his Majestie, for preventing of all dangers which might be likelie to fall to the estat of religioun. And albeit it was certanelie knowne to diverse of them, that the sometyme Erle of Huntlie had returned within the countrie in the moneth of Junie; lyke as his Majestie was informed and certified therof by them soone after, in the moneth of Julie, wherupon, notwithstanding, no actioun followed against him at that tyme: And albeit that after was proponed in his name, at Falkland, in the moneth of August therafter, and heard by his Majestie in counsell, where it was concluded that it sould be leasome for him to returne and remaine within the countrie, upon the performance of suche conditiouns as his Majestie sould propone to be performed of him, notwithstanding that the whole ministers there present for the tyme disassented therefra, and protested in the contrare; in respect that nather could it stand with his Majestie's honour, to receave or propone conditions to him, by reasoun of the constant brute of his returning, whiil it might be first made manifest to his Majestie, by an authentick testimoniall from the place of his residence without the countrie, (where the suters for him then alledged he was,) that he was indeid then resident without the countrie in suche a place; nather yitt could it be for the suretie of religioun, and peace of the countrie, to receave the said offers, in so farre as both the apostasie, wherupon the sentence of excommunicatioun had beene pronounced against him, and likewise his conspiracie with the Spaniard, for which he was forefaulted, stood unremoved, or acknowledged anie wise for an offence. And albeit, likewise,

that the conditiouns foresaid were concluded in his favours at Dumfermline, and proponed to him, whereby diverse of his freinds and confederats, favourers of the evill caus, beganne insolentlie to be puffed up, and be in esperance of their full peace, and recoverie of the estat of the caus, yitt, notwithstanding, the said commissioners desisted from all assembling themselves, whill the pride and advancement of the enemeis was like to come haistilie to that hight, which might endanger the whole caus and peace of the countrie; as was perceaved evidentlie by diverse presbytereis and provinciall assemblies, from whom the advertisement was givin to the Moderator of the Generall Assemblie; that he might, upon so necessarie occasiouns, assemble the commissioners foresaid for that effect, conteaned in the said commissioun. Upon whose advertisement, the said commissioners being conveenned, according as the necessitie craved, were occupyed from tyme to tyme, in the points and maner following:—

"First, their care was to examine and find out the truthe of the Erle of Huntlie's returning, and of the course and diligence which had beene taikin by himself, his freinds, and favourers; and what the same had effectuated, and was like to effectuat, by all probabilitie of reasoun; that thereby the danger might be once vivelie seene and apprehended. Therafter they were occupyed in setting doun the most effectuall and lawfull remedeis that could be found out to prevent the said dangers.

"And it was found that the Erle of Huntlie was undoubtedlie returned in the moneth of Junie, and the Erle of Erroll in the moneth of September, and that both were resident within the countrie: That the Ladie Huntlie, by her diligence and credit, had procured a conventioun of diverse of the nobilitie and others, the Erle of Huntlie's speciall favourers, in the which it was concluded that he sould have licence to returne within the countrie, upon the performance of suche conditiouns as sould be propouned to him by his Majestie: As likewise, another conventioun at Dumfermline, where the said conditiouns were concluded, the which were offered to him; and all done without the consent and approbatioun of the

ministrie, whereby the pride and strenth of the said erle was perceaved to grow in suche sort, that therin the hazard of religioun, of the peace of the countrie, of the lives of good men, of his Majestie's estat and crowne, was seene evidentlie, in so farre as the same causes that had perelled all these before were yitt standing in his persoun unremoved.

" For remeed wherof, it was found necessar that everie presbyterie within the countrie sould be acquainted heerwith, to the end they might apprehend, in the evidence of this danger, the angrie countenance of God against the iniquitie of the land, that therafter they might bring themselves and their flockes to a true humiliatioun before God, and turning from all their evill wayes to a true and unfeigned amendiment of life. Nixt, that his Majestie sould be earnestlie insisted with to kythe in actioun against the said forefaulted enemeis; and for that effect, the said commissioners diverse tymes directed some of their number to his Majestie, who craved the same of his Majestie, in all humilitie and earnestnesse.

" And becaus the pride of the adversarie encreassed, and the danger appeared more and more, the brethrein were constrained in their doctrine, publictlie to deale against the forefaulted excommunicats and their favourers, and to use their admonitiouns publictlie to his Majestie and counsell, with greater power than of before. [Whereby it was likelie to come to passe, partlie by the dealing of the brethrein privatlie with his Majestie, and partlie by the force of the doctrine publictlie, that the adversareis sould be frustrated somewhat of their expectatioun, and the course tane in their favours interrupted.

" Which being perceaved of their favourers, as appeares cleerelie by the effect, they imployed their witts and credit to engender in his Majestie's heart a suspicioun and mislyking of the ministrie, that therafter they might the more easilie divert his affectioun from them and their caus; wherin they profited so farre, that upon occasioun of a privat admonitioun, givin in loving maner by his Majestie's owne minister, he was moved at the instant to cast him off, in suche sort, that ever since he has refused to heare him ather in

privat or publict, albeit at all tymes before his Majestie was accustomed to take all suche admonitiouns lovinglie; wherupon the advantage of the enemie and prejudice of the caus goes fordward in suche maner, that the brethrein were moved upon necessitie, for zeale of the caus, to be more frequent in their publict admonitiouns, and by this meane his Majestie's miscontentment was so fostered, by the craft of the favourers of the enemeis against the ministrie, that he was induced to convert his whole actiouns against them, with greater intentioun than he could be moved against the adversareis this long tyme; thinking thereby, first, so to perell the credit of the ministrie at his Majestie's hand, and then to invade the libertie of their preaching, that the whole commissioners sould be drivin to leave the prosecuting of their sute against the Papists, and to employ themselves whollie to defend the freedom of their preaching and discipline.

"And for the more effectuall accomplishing therof, during the tyme of their conference which the commissioners had with his Majestie, Mr David Blacke, minister at St Andrewes, was charged by letters to compeere before his Majestie and Secreit Counsell, for certan unreverent, unfamous, and undecent speeches, alledged uttered by him in his sermouns, the particulars wherof nather concerned his Majestie nor anie of his counsell, wherethrough his Majestie might have beene moved earnestlie to insist in the said accusatioun. And yitt, notwithstanding, the commissioners could no wise procure the delaying therof. And, albeit they dealt instantlie with his Majestie, that all controversie and questioun that his Majestie had with anie of the ministrie might be past in silence, whill, first, by a commoun concurrence, some order might be tane for repressing the commoun adversar; which moved the commissioners to enter in a more deepe consideratioun of the actioun intended against the said Mr David Blacke, and of the consequence therof. And finding that it might be a dangerous preparative to impaire the libertie of the ministrie in applicatioun of the Word, if his Majestie sould find himself judge, and proceed in tryell of doctrine, or applicatioun therof, therefore it was thought necessar by

the said commissioners, that if his Majestie and counsell would insist in prosecuting the said actioun against the said Mr David, in that cace he sould propone a declinatour of his Majestie and counsell's judgement; not mynding thereby to derogat unto his Majestie's authoritie or jurisdictioun in anie point, as they protest before God, but having regard that the freedom of the Spirit of God in the rebooke of sinne be not restrained in the mouths of his servants. The which, the said commissioners perceaved cleerelie, and affirme to be the verie principall butt that is shott at in this whole actioun; becaus the mysterie of iniquitie which has beene intended, begunne, and going fordward, (whether the purpose be to thrall the Gospell by injunctiouns, or by a policie equivalent to injunctiouns, or to bring in libertie of conscience; or, if it draw yitt deeper, in Papistrie, which is to be feared for manie reasouns, and will be reveeled in the owne tyme;) being of it self suche as can not abide the light of reprehensioun, the onlie advantage of their caus is thought to stand in extinguishing of the light, which might discover the unlawfulnesse therof, that so they might passe fordward in darknesse without all challenge, till the truthe were overthrowne, which the Lord forbid, for his great merceis' sake. And becaus that impietie darre not be yitt so impudent to crave, that in expresse termes sinne be not rebooked, it is sought onlie that his Majestie and counsell be acknowledged judge in maters civill and criminall, treasonable and seditious, which sall be found uttered by anie minister in his doctrine; thinking to draw the rebooke of sinne in the king, counsell, or their proceedings, under the name of one of these crymes, and that way ather to restraine the libertie of preaching, or ellis to punishe it under the name of sinne, vice, by a pretence of law and justice; and so, by tyme to bind the Word of God, that sinne may goe fordward with lifted up hand to the highest: lyke as his Majestie and counsell have proceeded and found themselves judges, and followed out the processe to the verie sentence, which his Majestie has reserved in his owne hand, and, in the meane tyme, has putt the said Mr David in waird, whill his Majestie's will be declared.

"Wherin the commissioners perceaved the Gospell to be assaulted with deepe craftinesse, and suche as could not be easilie decyphered, nor perceaved of everie one when it is decyphered, found it therefore most requisit, that the caus sould be with fasting and prayer most earnestlie recommended to the defence of God, by whose power it had beene assisted and mainteaned from the beginning, against all adversareis whatsomever; and, in the meane tyme, that the brethrein, according to the measure of spirituall wisdome and strenth which the Lord sould bestow on everie one, notwithstanding of whatsomever hazard, sould stand constantlie to the truthe, against all power and craft that might assaile the same; and sould discover the danger that, by this course in end, might fall to religioun, the estat of the countrie, his Majestie's estat and person, and lives of all good men: Protesting alwise, that if anie minister of the Word within the whole land, in the using and preaching of the Word of God, sould passe the bounds prescribed by the apostle, in that cace he sould underly the straitest punishment conteaned in his Majestie's lawes, according to the qualitie of his offence, being found and declared so to have done by his competent and lawfull judge, the senat ecclesiastick: That is to say, if ather he applyed not the Word; interpreted not to the informatioun of the minde in the truthe, by doctrine, or to the reformatioun of errour contrare to the truthe of God; or ellis the reformatioun of the powers and actions of the soule and bodie, by exhortatioun to godlinesse; or to the rebooke of sinne; or to confort and strenthen the godlie in all truthe and godlinesse, against the assaults of sinne and errour; or to suche other godlie end allowed in the Word of God, in that cace, lett him be convicted to speeke but warrant, and to be punished therefore with all extremitie, as accordeth.

"In respect wherof, the said commissioners have verie often and earnestlie travelled with his Majestie, that the caus of the kirk might be repouned in als good case as it was in when the sute was first moved to his Majestie against the commoun enemie; that if they profited nothing in their travells in the principall earand, at least the caus sould not be worse, for their duetifull and faithfull

diligence in the discharge of a good conscience in their commissioun: And to that effect, that all acts, decreits, and interlocutors, givin to the prejudice of the same, might be retreated. The which, becaus it could not be obteaned of his Majestie, the commissioners were content to accept a suspending of processe and executioun therupon whill it might be reasouned and concluded in a lawfull assemblie, whether, if the same ought to be *simpliciter* rescinded or not; promising, in the meane tyme, that none of the ministrie sould utter against his Majestie or counsell, or anie of their lawfull and godlie proceedings, anie rash or unreverent speeches, under the paine of depositioun from the functioun of the ministrie.

"But this could no way be granted, notwithstanding of the great instance of the commissioners, still travelling to procure by all meanes the same at his Majestie's hands, that the peace of the kirk might be keeped, if it were possible, so farre as could be, with good conscience, not prejudging the Gospell. And albeit the successe of the brethrein's labours was not according to their desire, yitt they determined in patience to attend upon the caus, whill it sould please the Lord to move his Majestie's heart to a better consideratioun. And for that effect, they ceassed not to use all lawfull meanes, whill by publict proclamatioun the commissioners were charged, under paine of horning, to remove themselves, and depart to their severall congregatiouns. At which tyme, notwithstanding that the necessitie of the caus craved a greater attendance and diligence of the commissioners nor of before, yitt they, not willing to incurre anie wise the suspicioun of contempt of his Majestie's authoritie, resolved to obey his Majestie's charge, and to committ the caus to God, and to the faithfull care and diligence of the brethrein of the Presbyterie of Edinburgh; charging them in the name of God to have that care therof that is requisite in so dangerous a tyme; requeisting likewise the whole brethrein, unto whom expresselie the said commissioners direct this present declaratioun for that effect, to recommend this caus earnestlie in their prayers to God; and to employ their whole credit and labours to the same end, so farre as they may, of their calling, that yitt the Lord may

suspend the executioun of his wrathe which this countrie has justlie deserved, and continue his favour, for the confort of his sancts in Christ; to whom be all glorie and honour for ever. Amen."

Thursday, the 16th of December, 1596.

The which day, immediatlie after Mr Robert Bruce's sermoun, his Majestie sent a macer for the foure ministers of Edinburgh, and by the secretar and Mr John Preston sought a new commouning; and said that he had directed Mr James Balfour to gett an answere yesterday to that effect. Mr James answered, and said, It was true his Majestie sent unto him, but before he could speeke the commissioners, they were publictlie charged off the toun. The secretar replyed, and said, the king would take him to the ministers of Edinburgh allanerlie. Mr Robert gave answere, that they would on no wise enter in new commouning till the commissioners were called back againe, with als publict and honest a proclamatioun as they were charged away with an unhonest and calumnious. The secretar promised that so sould be, and that after advisement taikin with the president. And so the brethrein were content with a more moderat course untill the returne of the commissioners.

THE TUMULT UPON THE 17TH DAY OF DECEMBER.

In the meane tyme, under commouning, they intended to charge twentie-foure of the best affected burgesses of Edinburgh, thinking thereby to emptie the toun of the most zealous sort, that thereby they might the more easilie accomplishe their interprise. Sir George Hume, afterward Erle of Dumbar, David Murrey, now Lord of Skoone, and Vicount of Stormont, Sir Patrik Murrey, his brother, Sir Robert Melvill younger, and sindrie of the cubicular courteours, finding themselves prejudged by the Octavians, who had the menaging of the king and queene's patrimonie, sought by all meanes to kindle a fire betuixt them and the kirk, playing with both the hands.

First, they went to the ministers severallie, and assured them

that the Octavians were the onlie procurers of Mr David Black's trouble, and the other inconveniences which were lyke to follow therupon; that if they tooke not good heed, the Octavians would soone alter the estat of religioun; that without their knowledge the Popish lords durst never have come home again; that all men knew weill eneugh that President Setoun, Mr James Elphinston, Mr Thomas Hammiltoun, Advocat, and Secretar Lindsay, were Papists. They willed them to be upon their guarde als weill as they could, both night and day, and looke for no good so long as they guided the court. Upon the other part, they sent word to the Octavians, that the Kirk of Scotland perceaved them to be the accusers of the ministrie, and the imbringers of the Popish lords; that the ministers and a great part of the professors of Edinburgh were upon their guarde; therefore, desired them likewise to keepe their gates closse, that some night they come not in and cutt all their throats. Wherupon some of the citicens were to be charged to depart off the toun. Robert Stuart, macer, tooke the opportunitie to be avenged upon Edward Cathkin and Andrew Hart, booksellers, for they had bought the bookes belonging to Johne Nortoun, after the death of Edmond Wates, his servant, resident heere in Edinburgh, and all the debts belonging to him or to his maister, Johne Nortoun, stationer at Londoun; wherupon they gott a decreit against Robert Stuart for the payment of foure hundreth pund, addebted by him to the said Johne Nortoun, or his servant, Edmund Wates. Robert Stuart, to be freed of the payment of this summe, delated them to the king; and to cover his owne particular respects, delated other citicens also, who were most familiar with the ministers, and watched in the night for their defence, as if they had beene seditious, and ingleaders to others, encouragers and emboldeners of their ministers in the present course.

This charge was givin upon Thursday, at night, and beganne to be executed the morne tymouslie. It was executed first upon Edward Cathkin, bookeseller. He cometh to Mr Walter Balcalquall, who was to preache, before he went to the kirk, and informeth him of the executioun of the charge; but with all telleth him that,

in his opinioun, the ground was a particular plott of William [Robert] Stuart's. Mr Walter answered him againe, there were deeper plotts and intents in that mater nor to serve his particular purpose, and that they would putt at themselves nixt. Mr Walter in his doctrine opened up the purpose of the enemeis, found fault specially with that charge that was givin to some honest inhabitants of the toun to depart out of it, and not to come neere it by so manie myles during the king's will, without anie caus alledged wherefore, and when the king and the ministrie were under good termes and conditiouns. After sermoun, he requeisted the noblemen and gentlemen there present, and others weill affected, to assemble in the East Kirk, called the Little Kirk, to advise how the imminent danger might be eshewed; shewing he had a warrant of the kirk to desire them to conveene for that effect. They conveene immediatlie after sermoun. Mr Robert Bruce made an exhortatioun, and declared to the people the danger wherin the kirk stood by the returning of the Popish lords, and great favour shewed to them; and therupon desired, since they were conveened, to hold up their hands, vow and sweare to defend the present state of religioun against all opponers whatsomever.

After the exhortatioun, they directed in commissioun two lords, Lindsay and Forbesse, two barons, Barganie and Blairquhan, and two bailliffes, in name of the toun of Edinburgh, two ministers, Mr Robert Bruce and * * * * * * to the king, sitting in the meane tyme in the Tolbuith, in the seate of justice, among the Lords of the Sessioun, with certan articles, for redresse of the wrongs done to the kirk, and preventing of imminent dangers. Mr Michaell Cranstoun, then a verie fordward minister, but now key-cold, readeth in the meane tyme, while the commissioners were furth, the historie of Haman and Mordecai, and suche other places of Scripture. The commissioners went up to the Tolbuith, to deliver their commissioun, which they discharged in a humble and lamentable maner. One of the points was, to remove from him these counsellers that had counselled him to bring home the Popish lords, to the perrell of the kirk, his owne estat,

and the estat of the countrie. The king tooke their commissioun in evill part, and with miscontented behaviour withdrew himself; wherupon, the commissioners returned their report to the rest. They beganne to advise what was nixt to be done. In the meane tyme, there ariseth a rumour in the toun, that the king had givin no good answere to the kirk; and in the Tolbuith, that the toun was in armes, before there was anie suche thing. But it fell furth so immediatlie; for a messinger of Satan, suborned by some of the cubicular courteours above-named, who wished some mischeefe to fall upon the Octavians, came to the kirk doore, and cryed, "Fy! save your selves;" and ranne to the streets, crying, "Armour! armour!" The people ryse in armour. Some runne one way, some another. Some thinking the king was taikin in the Tolbuith, ranne to the Tolbuith. Some thinking that some of the ministrie were slaine, ranne toward the kirk. In this hurlie-burlie, two or three came to the Tolbuith doores, which were closed, and called for some of the Octavians, abusers of the king, speciallie, President Setoun, Mr James Elphinstoun, and Mr Thomas Hammiltoun, to be delivered to them, that they might take order with them. The noblemen, barons, and gentlemen, that were in the kirk, went furth at the false alarum, and were likewise in their armes. The Erle of Mar and the Lord Halyrudhous went out to the barons and ministrie conveenned in the kirk-yaird. Some hote speeches past betuixt the Erle of Mar and the Lord Lindsey, so that they could not be pacified for a long tyme. The king sent a charge to the proveist and bailliffes of Edinburgh to stay the tumult. The proveist being sicklie, came to the king, and after knowledge of his will, did his office. So everie man went home, and putt off his armour, for they had no foresett purpose of anie interprise. The ministers assisted the magistrats to stay the tumult. The king sent the Lord Uchiltrie with some others to the ministers, barons, and gentlemen, to desire them to penne their articles and requeists, and send them to him after his going to the Abbey, promising them an answere to their contentment. So the king went doun the street, convoyed by the proveist and bailliffes,

and foure of the Octavians with him. The ministers and other professours conveenned, directed foure commissioners to the king, to witt, the Lord Forbesse, Lairds Barganie, Blairquhan, and Fadowneside, with these articles: 1. That his Majestie would remove from his companie suche as were thought to be the cheefe authors of all the troubles of the kirk, and were knowne to be moyeners for the excommunicated erles: viz., the President, Alexander Setoun, Mr James Elphinstoun, Mr Thomas Hammiltoun, &c. *Item*, That the excommunicated erles be removed off the countrie, till they offered suche reasonable conditiouns as the kirk might be content with. *Item*, That the Commissioners of the Generall Assemblie, who were putt away by opin proclamatioun, might be charged by opin proclamatioun to returne again to Edinburgh, to attend on the effaires of the kirk committed to their charge. They went down in the evening about five houres, but gott no presence; or, as others report, being informed in what rage the king was, for the dishonour he thought was done to him and his crown that day, after consultatioun, when they came to the Abbey Closse, they separated themselves, leaving their commissioun undischarged. But Barganie was brought in to the king's chamber that night by Uchiltrie's moyen, and recovered the king's favour again. The king, being misinformed that the ministers had stirred up the toun to that tumult, was in a great rage that night at them and the toun.

PROCLAMATIONS.

Upon Saturday, the 18th of December, the king rydeth tymouslie to Linlithquo. All that were not ordinarie residents in Edinburgh were commanded, by opin proclamatioun in the king's name, to passe furth of the same within six houres, under paine of treasoun. Shireffs, justicers, commissars, and other judges, were discharged to hold their courts in Edinburgh, under the paine of death. All the members of the Sessioun were charged to make

them readie to come out of Edinburgh, to hold sessioun in the place which sould be appointed by the nixt proclamatioun.

This day, Mr Robert Bruce wrote the letter following to the Lord Hammiltoun :—

"PLEASE YOUR LORDSHIP,—We doubt not but yee have heard er now the effect of this long conference that has past betuixt his Majestie's counsell and us: manie communings, and als manie breaches. They tooke their advantage ever under trust, whill at last, the malice of some counsellers is come to this, that the stipends of the ministers are discharged, the commissioners of the Generall Assemblie putt off the toun, Mr David Blacke convicted of treasoun, and putt in waird, and we, by an ordinance alreadie sett doun, appointed to suffer the like. And now, last of all, under commouning also, a great number of our flocke, who were most zealous, are charged off the toun, so that the people, animated as effeirs, partlie by the word and violence of the course, tooke armes, and made some commotioun, fearing the invasioun of us, their pastors: but, by the grace of God, we repressed and pacified the motiouns incontinent. Alwise, the godlie barons and other gentle men that were in the toun have conveened themselves, and taikin upon them the patrocinie and mediatioun of the kirk and her caus. They laike a cheefe noble man to countenance the mater against these counsellers, and with one consent have thought it meete that I sould write unto your Lordship. And seing God has givin your Lordship this honour, we could do no lesse than follow his calling in the brethrein, and make it knowne unto you, that with all convenient diligence your Lordship might come thither, to utter your affectioun to the good caus, imploy your credit, and so to receave the due honour that God calleth you unto, as we doubt not but yee will doe. And in the meane tyme, committs your Lordship to the protectioun of God. Off Edinburgh, the 18th of December, 1596.

"Your Lordship's to be commanded in God,

"MR ROBERT BRUCE. MR ROBERT ROLLOCK.

"MR WALTER BALCALQUALL. MR WILLIAM WATSONE."

The Lord Hammiltoun sent this letter to the king, vitiated and adulterated as followeth :—

"Please your Lordship,—We doubt not but yee have heard er now the effect of the long conference that has beene betuixt his Majestie and us : manie commounings, and als manie breaches. They tooke their vantage ever under trust, whill at the last, the malice of some counsellers is come to this, that the stipends of the ministers are discharged, and the commissioners of the Generall Assemblie putt off the toun, Mr David Blacke convicted of treasoun, and putt in waird, and we, by an act alreadie sett doun, appointed to suffer the like. And now, last of all, a great number of our flocke, who stood in our defence, are charged off the toun ; so that the people, animated, no doubt, by the Word, and motioun of God's Spirit, tooke armes. Alwise, the godlie barons and other gentle men that were in the toun have conveenned themselves, and tane upon them the mediatioun and patrocinie of the kirk and her caus. They want a cheefe and speciall noble man to countenance the mater, and, therefore, with consent, have made choice of your Lordship. And seing God has givin your Lordship this honour, we could do no lesse than follow his calling, and make it knowne to you, that with all convenient diligence your Lordship may come heere, and utter your Lordship's affectioun in the good caus, and receave the honour which is offered unto you, which we doubt not but yee will doe. In the meane tyme, we committ your Lordship to the protectioun of God."

Upon the Lord's day, the 19th of December, Mr Robert Bruce, teaching upon the 51st Psalme, foretold, that their removall was at hand, and that they (meaning the ministrie) behoved to be sivvered, but in mercie to them, before the great judgement and wrathe come upon others. "I know," (said he,) speeking to Edinburgh, "some of you will be verie glade, others sorie, for our sivvering. Our life sall be extremelie sought ; yee sall see it with your eyes, that God sall guarde us, and be our buckler and defence ; for looke, how surelie I see your bodeis, als surelie see I his mercie toward us, in this earand. The hypocrisie of manie, and the iniquitie of

some, sall cleerlie appeare. Therefore, make you for it; all men sall be tryed. He that has good stuffe sall utter it; he that has it not, the world sall see hypocrisie. The Lord sall make the world to see the verie thing that I see. The tryell sall goe through all men, from king and queene to counsell and nobilitie, from sessioun to barons, from barons to burgesses, yea, to the verie craftsmen. The love of all men sall be seene, both toward God and the religioun. Sorie am I that I sould see suche weaknesse in manie of you, that yee darre not so muche as utter one word for God's glorie, and the good caus. It is not we that are partie in this caus; no, the querrell is betuixt a greater Prince and them. What are we but sillie creatures, sillie men, unworthie creatures; yitt it has pleased Him to sett us in this office, and make us his owne mouth, that we sould oppose to the manifest usurpatioun that is made upon the spirituall kingdome, and this encroaching upon all our spirituall liberteis. I am heartilie sorie, that our holie and gracious caus sould be so obscured by this late tumult, and that the desperat enemeis sould be so emboldenned, to pull doun the crowne off Christ's head. It becometh us to learne obedience by suffering. I had rather been banished Scotland for ever, er one drop of their blood had beene spilt that day. Lett us suffer cheerefullie, and in the meane tyme, stand to the caus. The Lord so beare us out, that if the greatest were sitting there, we shrinke not to admonishe them with all reverence. I heare, and am heartilie sorie to heare, that some men, that have receaved great graces beyond their nighbours, imploy their ingyne and witt to the hurt of Christ and his ministrie, wittinglie, to the hurt of a desolat king and countrie. I affirme, they runne als direct a course to the wracke of king and countrie, lett be of religioun, as if they had combined, and taiken informatioun of Pope, King of Spaine, and the apostat Papists in the countrie. What suppose the prince see not his owne weale, and the weale of his countrie, and that a deceaved heart is deceaved? Yitt their experience sould see farther. Suppose it be his heart's desire to interteane a pest, and secreit fire in his owne bowells, that will breake furth in a devouring flamme at last; sould they, to whom

God has givin eyes to see, consent thereto, and vote rather to his afflictioun, than to his standing and weelefare? Is there a more forcible meane to draw doun the wrathe of God, than to lett Barrabas, (as yee heard weill taught upon Fryday last,) that nobilitated and renowned malefactor, [Huntly,] passe free, and beginne the warres against Jesus Christ and his ministrie? What greater solace, contentment, and joy, can come to the heart of the intestine enemie, than to heare of this? Might not this forged cavillatioun against Mr David Blacke, (as I know, by the conscience and depositioun of the partie accused,) might it not have ceassed, and lyin over for a tyme, till ather the desperat and cruell enemie had beene reclaimed and winne, or otherwise, forciblie had beene expulsed and banished the countrie? But now, to increasse his furie, and to nourishe his desperat attemptats, is not a mater keeped secreit, but knowne weill eneugh, that some of these tratours that came last home have promises of moyen, and succours sall shortlie follow. When the cardinall sall heare of this dealing, sall he not be animated to prosecute his intended hopes, and to precipitat the ruine of this senselesse and secure yle? What sall the religious of both countreis thinke of this? Is this the moyen to advance the prince's grandour, and to turne the hearts of the people toward his Hienesse? It greeves me also, that so manie sould applaud and rejoice in our visitatioun, and that some of them that beare office, and have borne office in this toun, sould eeke mater of greefe; and to heare, that so manie of diverse callings, and sindrie rankes, sould be so soone readie, some to imploy their witt to devise, some their tongue to libell, others their pen to write, others their foote to runne so bussilie against Christ and his servants, of whom they have receaved (as their leing tongue at least confessed) so great confort. Last of all, it putteth on the kepstone, that so manie of our owne brethrein sould not be so faithfull, as their worthie calling and the dignitie of this caus craveth. Fy upon false brethrein! They that had their tongue so sharpe, whose speeches went ryfe in the countrie, to see them so dumbe now, so faint-hearted, when it comes to the chocke. Not onlie darre they not speeke the thing that they

thinke, which is a shame in a pastor, but speeke the plaine contrare, and directlie against their former doctrine, oathe, and subscriptioun. Thir tymes have discovered great secreits, and, therefore, the Lord has a notable worke, a worke of singular tryell in this fearefull persecutioun. Suppose maters be farre out of order in respect of things we have seene, yitt all is in good order with God, whill this worke of discoverie be ended. We have ever beene praying for planting, but never for good planting; we never cast our eyes upon wholesome and spirituall plants, but upon men that had all their christianitie in their tongue, and in a show, but nothing in their heart, and in their practise. I had rather one sincere heart planted, that is brought out of nature by the worke of the Spirit of Grace, nor twentie or an hundreth of these fyne counterfoots, for all their fyne learning. These men are the wracke of the kirk, for the graces they have are not sanctified. They will speeke the truthe awhile, till they be putt at; but incontinent, they turne, and make their graces weapons to fight against Christ and his kingdome; for there is none so malicious as an apostat, from tyme once he beginne to slyde backe. They will doe evill that good may come of it; pretend their calling, but intend another thing. I warrant you, untill the tyme that the Lord gar cast the dirt of their owne actiouns upon the face of their owne consciences, to confound them with shame, and untill the tyme that we, who are weake indeid, be humbled in our consciences for over muche bearing with them, for not resisting their corruptiouns, (I will not say flattering of them,) I looke never to see the baners of grace displeyed as they were wount to be. In the meane tyme, brethrein, our victorie must breake out of our great patience, and our triumphe out of our long-suffering. The Lord prepare us in mercie, enlarge the narrow bounds of our wretched hearts, that they may be capable; and multiplie his holie and divine unctioun on them, that his glorie may breake out, and shyne in our constancie and holie perseverance; and, on the other side, that the tokins of his hote and just wrathe may breake up and beginne in the heart of the enemie, waiken their conscience, and opin their mouths to confesse their

owne turpitude, to the honour of the good caus, and glorie of him that ought it for ever."

Upon Moonday, the 20th of December, the king and counsell directed from Linlithquo to Edinburgh two proclamatiouns; the one charging Mrs Robert Bruce, James Balfour, Walter Balcalquall, William Watsone, ministers of Edinburgh, and some speciall citicens, to enter in waird in the Castell of Edinburgh, within six houres after the proclamatioun, under the paine of horning. Another, that the saids persons, and Mr Michael Cranstoun, minister at Cramond, compeere at Linlithquo upon the 25th of December, to answere *super inquirendis;* wherin also was declared, that this proclamatioun sould be a warrant to the captan of the castell to present them. A charge was sent likewise to the magistrats of Edinburgh to apprehend their ministers, and so manie citicens, as this act of counsell following declareth:—

"*Apud Edinburgh, vicesimo die mensis Decembris.*

"The which day, Roger Macknacht, George Todrick, Patrik Cochran, and Alexander Hunter, Bailliffes, Richard Dobie, Treasurer, Thomas Aikinheid, Deane of Gild, Johne Robertsone, in absence of William Mould, Alexander Crawfurd, Deacoun of the Cordiners, * * * * * in absence of Archibald Martine, Deacoun of the Skinners, Daniel Crawfurd, Deacoun of the Goldsmiths, being conveenned in counsell, and having presented unto them his Majestie's charge for the taiking, apprehending, and incarcerating of Mr Robert Bruce, Mr Walter Balcalquall, Mr James Balfour, and Mr William Watsone, ministers at Edinburgh, Mr Michaell Cranstoun, minister at Crawmond, Edward Johnestoun, merchant, Michaell Flebarne, merchant, William Littill, called *alias* Laird Littill, skinner, Edward and James Cathkins, skinners, and Andrew Hart, bookbinder, for the treasonable and seditious stirring up, and moving of the treasonable tumult and uproare that was in the burgh of Edinburgh, upon the 17th day of December instant, as the cheefe authors, his Majestie in the meane tyme being in the Tolbuith, for administratioun of justice, &c. The

said bailliffes and counsell having considered the said charge, they all in one voice agree, determine, and conclude, to searche, seeke, take, and apprehend the saids persons, and putt them in the Castell of Edinburgh, for obedience of the said charge.

"*Extractum de libro Actorum, per me, Alexandrum Guthrie, &c.*"

Mr Michael Cranstoun, James Dalyell, * * * entered in waird. The ministers of Edinburgh being assured the king's anger was cheefelie kindled against them, three of the number resolved to eshew the present furie. Mr Robert Bruce, in respect that he went not out of the kirk or kirk-yaird, would have stayed to abide the worst. But least, by that divisioun, the rest sould be involved in greater guiltinesse, and by the perswasioun of the wisest of his owne flocke, who apprehended the danger more deepelie nor he did himself, was moved to withdraw himself with the rest. So Mr Robert and Mr Walter tooke journey about the evening, the 23d of December, and after they had stayed three or foure nights in Braid, Brunston, and Newbottle, they were convoyed out of Newbottle to England, where they stayed in Twedmouth five or six dayes, and after were convoyed to Yorkshire. Mr James Balfour and William Watsone went over to Fife, and lurked with Mr James Melvill, and other secreit places which the Lord prepared. After their departure, they were putt to the horne.

Upon the same Moonday, the 20th of December, the king sent for his minister, Mr Patrik Galloway. Wherupon he went to Linlithquo, but was not suffered by the Octavians to come neere the king. The king sent to him the copie of the band following, to be subscribed, which he would urge also all the rest of the ministers to subscribe. Mr Patrik answered, that he was never the head of anie factioun of the kirk, and now, God willing, would not beginne; but if his Majestie would call for a Generall Assemblie, or send for the commissioners therof, to caus that mater to be reasouned, if it were found lawfull, he sould subscribe it.

THE JUST COPIE OF THE BAND ORDEANED BY HIS MAJESTIE AND ESTATS TO BE SUBSCRIBED BY EVERIE ONE OF THE MINISTRIE, UNDER PAINE OF TINSELL OF THEIR STIPENDS.

"We, the pastors and ministers of Scotland undersubscribing, humblie acknowledging our duetie to God, and obedience to the king our soverane, whom for conscience' caus we ought to obey, confesse that he is our soverane judge, to us and everie one of us, in all causes of seditioun and treasoun, and others civill and criminall maters; and to all our speeches which may import the said crimes, albeit uttered by anie of us publictlie, in pulpit, (which God forbid,) or in anie other place; and that the said pulpits, nor no other place whatsomever, hath that priviledge or immunitie, to be occasioun or pretence to anie of us of declynning of his Majestie's judgement, in anie of the said civill or criminall causes intended, or to be intended, against anie of us in tyme comming; but rather, that our offence is greater, incace anie of us committ suche crimes in the said pulpits, (which God forbid,) where the Word of God, his truthe and salvatioun, sould be preached by us unto our flockes. In witnesse wherof, and of our humble acknowledging of our duetie in the premisses, we have subscribed these presents with our hands, and are content the same be registred in the bookes of our soveran's Secreit Counsell, *in futuram rei memoriam.*"

CERTANE REASONS PENNED AT THE SAME TYME WHY THAT NONE OF THE MINISTRIE CAN SUBSCRIBE THE FORESAID BAND.[1]

"1. In the king's Confessioun of Faith, which all ministers not onlie have subscribed themselves, but also are bound to caus their flockes subscribe, the king's authoritie is confessed and acknowledged by all. Therefore, it is superfluous to crave anie subscriptioun therof of new by anie suche band.

[1] The following words are added in the MS., but in another hand,—"but this is somewhat different from the other."

"2. Everie minister at his admissioun to his office sweares his obedience to God and the king in the Lord. Therefore, it is superfluous.

"3. The enemeis at this tyme are lying at watche, readie at all occasiouns to cutt the throat not onlie of professors and ministers, but also of religioun it self. Therefore, the urging of suche subscriptiouns is out of tyme and suspicious.

"4. The craving of subscriptioun to this band would import an unduetifull impairing, or denyall of his Hienesse' authoritie by the ministers in tymes past. The contrarie wherof our conscience bearing us witnesse before God, we can not yeeld to the craved subscriptioun, unlesse we would indirectlie confesse our selves guiltie of the cryme of lese-majestie.

"5. The loving care and fidelitie of the ministers in all duetifull obedience toward his Majestie's preservatioun, and acknowledging his authoritie, has been suche since his infancie, that not onlie they in their owne persons have behaved themselves as obedient subjects, but also, nixt unto the glorie of God, have procured earnestlie, that all degrees and rankes of his subjects whatsomever sould yeeld unto his Majestie duetifull obedience, lyke as his Hienesse has oftin confessed in privat and publict, and the which the verie enemeis can not deny. Therefore, to crave of us new subscriptioun theranent, it were unnecessar.

"6. If the Gospell which we professe, and calling of the holie ministrie, which binds us not onlie in our owne persons to be subject to his Hienesse' authoritie, but also to require the same of the people by the Word which we preache, and discipline which we exercise, be not sufficient to assure his Majestie of our duetifull obedience, what bond can knitt us?

"7. All new formes in tyme of danger, namelie, proceeding from the favourers of the enemeis, suche as this present is, have ever beene by the prudent and wise holdin suspicious.

"8. There is no duetifull and lawfull obedience but his Majestie may exact of us by the Word of God, and lawes of the realme, and justlie panish us if we refuse or transgresse. Therefore, the band

is to be suspected to crave farther nor we are bound to by the Word of God, and lawes of the countrie.

"9. The exemple of the 1584 yeere forbids us, unlesse we would incurre the same judgement which lighted upon the Bishop of St Andrewes and his complices, and blott which befell the weake brethrein which were induced to subscribe that band.

"10. This being a mater which tuicheth the whole kirk, it must be considered by a Generall Assemblie, and ather approved or rejected, before the subscriptioun of anie be craved, otherwise, it seemes to be devised of purpose by the enemie, to breed and bring in a schisme amongst the brethrein, betuixt subscribers and not-subscribers.

"11. This mater is controverted betuixt his Majestie and the kirk. Therefore, it ought to be decided in a lawfull Assemblie, before that anie be urged to subscribe the king's part, unlesse his Majestie would be esteemed to prevaile by oppressioun, and not by reasoun.

"12. It is contrarie to the Word of God, as sall be proved in particular.

"13. It is contrare to the acts of the Generall Assemblie, as likewise sall be declared.

"14. It is against the acts of parliament made in favours of the liberteis of the kirk anent the spirituall jurisdictioun therof, as sall be verified in like manner.

"15. And last, it is conceaved so ambiguouslie, that anie who have eyes may easilie perceave it to be a snare layed before the simple, to take them therewith in high treasoun against the libertie of the Lord Jesus' kingdom, as sall cleerelie appeare, in the examinatioun and discussing of everie particular claus therof.

"'HUMBLIE OBEY.'—Why sould we not humblie acknowledge our duetie to the king? But it is not true humilitie to subject to the king's judicatour that which properlie belongeth to Christ, suche as, indeid, the particular of this band is.

"'OBEY.'—If we humblie acknowledge our duetie to God, and obedience to our superiours for conscience. But this is craftilie

suppressed, that we sould doe it in conscience, that is, in the Lord, and onlie in things lawfull.

"'His Grace.'—This is ather to be taikin to the king's Grace alone, separated from his counsell, sessioun, parliament, &c., or conjunctlie. Separat, his Grace can not be judge in all causes, &c., nather by good reasoun nor the lawes of his countrie. For there are acts of parliament ordeanning everie caus, civill or criminall, to be brought and discussed before their owne ordinarie judges, in sessioun, commissariats, shireffs, stewartreis, burrowes, &c. Conjunctlie he can not but ather in counsell or parliament, wherin, by the lawes and custome of this countrie, treasoun and seditioun are judged by an assise, &c.

"'Judge.'—Ather according to the lawes made alreadie, or to be made. If after the lawes made, we refuse expresslie diverse of the lawes made in parliament, 1584: if to be made, we darre not, incace Papisticall, and repugnant to the Word of God, be made and intrused upon us, by vertue of our band.

"'Soverane.'—This may import that the king is supreme and onlie judge, to all ministers, in all causes; and so in their deponing from their offices, which is proper to ministers to doe, als weill as to try and admitt. For we deteast that act of 1584 yeere, making the king Head of the Kirk; and all admissiouns, depositiouns, &c., to be done by vertue of commissioun flowing from him, as high treasoun, and sacriledge against Christ, the onlie King and Head of the Kirk.

"'Criminall.'—Upon a criminall fact may arise a slander deserving excommunicatioun, as of the fact of Bothwell, &c., in handling of the which caus, the king can not be supreme judge, nather did he acclame it in the excommunicatioun of Bothwell, but craved it at the kirk.

"'Treasone.'—Ather treasoun indeid, or alledged. If indeid, then lett that be defynned in particular by God's Word, and good lawes not repugning thereto, and sett doun in the band. If alledged, what free rebooke of sinne in pulpit, or out, will not be called treasoun in anie mater concerning the estat? Also, high treasoun

against Christ and his state is judged and vindicated by his kirk, and spirituall sword of power, to arraigne kings and princes of treasoun, and all earthlie powers.

"'SCHISME, SEDITIOUN.'—There is schisme and seditioun within the kirk, that may fall out anent points of doctrine, which the kirk must judge and punish spirituallie, before it require the sword of the civill magistrat.

"'CIVILL.'—The Word of God prescribeth the dueteis civill of princes, people, fathers, childrein, husbands, wives, maisters, servants, &c. The which must be taught and preached, and so judged by the kirk and propheits.

"'CRIMINALL.'—A perfyte judicatour handleth three questiouns, *An factum? Quale factum? Quid mereatur?* Now heresie, idolatrie, witchecraft, and suche like, deserve death by all lawes, and so are criminall. And yitt, the kirk must judge all the three questiouns by the Word of God, and not the king, whose part is but to execut.

"'TO ALL OUR SPEECHES PUBLICTLIE UTTERED.'—*Primario*, or *secundario? Primario*, we can not, unlesse we passe the bounds of our commissioun, which must be judged by them that gave the commissioun, and have the interpretatioun of the Word.

"'WHICH MAY IMPORT.'—What may not import, if they sall be judges, where sinnes are rebooked and affectiouns controlled; wherof we had latelie daylie experience, when skarselie a sentence came out of our mouth, which fell under lesse nor treasoun?

"'PULPITS SALL BE NO PRETENCE.'—This is calumnious, as though we acclaimed a priviledge to the place, and not a right and authoritie to the message and commissioun.

"'INTENDED.'—Then sould we subscribe a plaine contradictioun to our declinatour, warranted by the Word of God, good law, and reasoun. Also, this binds us to acknowledge the king judge in the first libell against Mr Blacke; the which, as it was conceaved, his Majestie confessed properlie to apperteane to the ecclesiasticall judicatour. In summe, the drift of this band is to take from us, and represse the freedom of God's Spirit in the rebooke of sinne, in the

persons of all the supreme rulers. The interlocutor pronounced against Mr Blacke was almost in thir same termes, and to the same effect, and damned manie speeches uttered by the prophets and apostles, and proceeding from the Spirit of Christ, in the person and caus of that good servant of God. This band, in effect, takes away the whole five uses of the Scripture of God, sett doun by the apostle, 2 Tim. iii.; Rom. xv., viz., διδασκαλιαν, ελεγχον, παιδειαν, επανορθωσιν, παρακλησιν.

"'Doctrine.'—A minister darre not teache that the king and his counsell may and sould be rebooked publictlie for their sinnes. The hypocrisie, atheisme, idolatrie, murther, &c., in the persons of suche high powers, are high vices, and deserve high punishment.

"'Improving.'—A minister is bound not to improve or refute lawes and proclamatiouns against the Word of God, grounded on errour, calumneis, and slanders.

"'Admonitioun.'—A minister is bound not to admonish his Majestie freelie, according to the Word of God, nor to mend his evill proceedings.

"'Correction.'—He darre not correct his faults by the threatning of the judgments of God, &c.

"'Consolation.'—He darre not give confort to an afflicted brother putt at by the king or counsell.

"*Item*, This band, though short and in faire termes, is worse nor the band *in anno* 1584, the subscriptioun wherof brought suche shame among the ministrie, and wounded their conscience so deepelie; becaus the band *in anno* 1584 bound us onlie to ecclesiasticall persons; but this band drawes all our doctrine under the names of civill and criminall, &c., lyke the civill judicatour, so that thereby we sall be bound to receave our injunctiouns from them. As als, a danger evidentlie appeares in this respect, that *in anno* 1584 there is a plaine act of parliament commanding that none sall take upon them the dignitie of the thrid estat of the realme, under the paine of treasoun. And seing bishops, and suche other stiles of antichristian offices, are the thrid estate of parliament, against them, as unlawfull offices in the kirk of God, we alwayes stand, according to the Word of God. This doctrine, by this band, and accord-

ing to that act, sall fall under the civill judicatour, and incurre the penaltie of treasoun.

" Last, This band is flatt against the highest charges givin to the ministers by the Spirit of God, under all highest paines; as 2 Tim. iv. 2, '*Obtestor ego*, &c., *prædica, argue*,' &c. And 1 Tim. v. 2, '*Obtestor in conspectu Dei, ut hoc serves*, Χωρὶς προκρίματος; *nihil faciens in alienam partem declinando.*' And 2 Tim. vi. 13, '*Denuncio tibi coram Deo*;' *et vers.* 20, '*Depositum serva*;' *et* 2 Tim. i. 11, '*Exemplar teneto sermonum sanctorum, vel saniorum*;' *et cap.* ii. 15, '*Stude teipsum probatum sistere*;' *et ad* Tit. ii. *ult.*, '*Hic loquere, exhortare.*' Besides practises of God's prophets, Johne Baptist, Christ, his apostles, and all faithfull servants of God in all times.

" Finallie, In respect this band, which is craved to be subscribed by the ministers, for acknowledging the king's authoritie, is not necessar, but superfluous, in that we have alreadie acknowledged his Majestie's authoritie by subscriptioun in the King's Confessioun in our admissioun to the ministrie, and preveenned by our duetifulnesse bygane, and have the Gospell and our calling most faithfullie oblishing us thereto; and in respect it is untymous and impertinent, the enemeis now lying at the watche for overthrow of religioun. And in respect it might seeme to be a condemnatour of our selves for unduetifulnesse bygane, and yitt is dangerous for the innovatioun, and for the woefull experience *in anno* 1584; and it is suspicious, in that his Majestie may crave all lawfull obedience of us, and punish our disobedience, without our subscriptioun; in that it is prejudiciall, for that the whole kirk has interest therin, and the mater standeth questionable betuixt the king and the kirk; in respect it is repugnant to the Word of God, acts of Generall Assemblie, possessioun of the kirk, and Confessioun of Faith allowed by act of parliament; in respect it is verie sophisticall, that it usurpeth upon Christ his crowne, derogats to God's glorie and obedience, urgeth obedience to the king but not in God; that it maketh spiritualitie to be judged civillie under civill pretences; that it establisheth unlawfull acts, *anni* 1584; that it makes in effect the king spirituall head of the kirk, as he is temporall head of

the commoun weale; that it confounds the two jurisdictiouns by confusioun of causes; that it submitts the Word of God to the lawes of men, restraines rebooke of sinne, the meanes of repentance; abridgeth the arme of the Lord in his Word, which is powerfull to salvatioun; betrayeth the honour of God, and the soules of prince and people; trampes the blood of Christ under feete; quenches the Spirit of Grace in his ordinarie working, in that it is contrare to the declinatour latelie subscribed by us before; more prejudiciall to the kirk than that of the yeere 1584; and, last, contrare to the expresse charge givin by the King of kings to all his messingers, whereby in all the premisses evidentlie appeares, nather sould anie Christian magistrat professing with us urge the ministrie to subscribe this band, nather can the ministrie being urged, in conscience yeeld."

AN ANSWERE TO THE FORESAID BAND, BY MR PATRIK GALLOWAY' MINISTER TO HIS MAJESTIE.

The Ministers may refuse to subscribe the Band, for the causes following:—

"1. It is superfluous, seing everie minister has subscribed the same in effect at his entrie to the ministrie, his presentatioun by his Majestie conteaning that speciall claus of obeying and acknowledging his authoritie; and we are readie to abide the challenge of anie, upon the breache of our obedience, that can be lawfullie proved.

"2. It is unprofitable, seing it makes sindrie to suspect that it is craved ather to breed schisme among the brethrein, or to entrap them covertlie, or give occasioun of some new breache, to farther crabbing of his Majestie.

"3. It is suspicious, seing the Generall Assemblie holdin at Dundie satisfied his Majestie with an act serving to the same end for which the band is craved. Nixt, the commissioners of the Generall Assemblie latelie at Edinburgh offered a band equivalent to this, which then was not receaved. And, as yitt, this band is urged untymouslie, when it were more meete the enemeis of religioun sould be putt at who await their commoditie upon our farther distractioun.

"4. It is odious, seing that the like band, craved *in anno* 1584, brought suche inconveniences with it, as trouble to the urgers, and greefe of conscience to the obeyers.

"5. It is not princelie, seing his Majestie may at all tymes take of anie of his subjects, and use them according to the lawes, if they transgresse, without their subscriptioun.

"6. It is dangerous, seing it is conceaved under suche generall termes as may bring us under danger of the acts made *in anno* 1584. Nixt, of the acts which may be made heerafter by princes which are not so disposed as his Majestie is. Thridlie, under the danger of an evill disposed counsell toward the ministrie; who may declare it to be treason or sedition, which, in the owne nature of it, is not so.

"7. It is opposite to the libertie which God has givin us in his Word:—1. Of interpretatioun of Scriptures when we expone the mutuall dueteis of persons bound to others, which being preached must fall under the civill judicatour as maters civill. 2. Of applicatioun of rebooking of sinne freelie in all persons, according to the apostles' rule and lovable use continued from the beginning of the kirk; which must fall under the same judicatour if it appeare to be or import treasoun or seditioun to our evill willers. 3. Of the spirituall power, the deposing of ministers, in trying of doctrine *primario*, in taiking from us the judicatour of heresie, witchecraft, idolatrie, blasphemie, which are criminall causes, becaus capitall."

EDINBURGH IN GREAT FEARE.

The citicens of Edinburgh perceaving the king to be in great rage against them, partlie for the uproare raised upon the 17th day of December, partlie for suffering their ministers to escape, directed some commissioners to Linlithquo to the king, to make apologie for them, to qualifie their innocencie. But they were not heard, yea, he threatned to be avenged upon them, and to wracke them. Missives were directed from the king and counsell to noblemen and gentlemen to meete the king at Leith upon the 28th of December. He pretended he would be avenged upon the bodie of the toun,

and the brute went the borderers would be brought in to spoile it. But this barbaritie was not putt in executioun; for the king and his counsell understood verie weill that the bodie of the toun was innocent, whatsoever they alledged in the contrare. The citicens were in suche feare that they offered to putt all in the king's will, both concerning kirk and policie, to save their goods, and promised that their ministers sould not be suffered to preache to them till they be reconciled with the king.

Upon Moonday, the 27th of December, it was published at the Mercat Croce, that Mr David Blacke had uttered slanderous speeches, to raise seditioun betuixt the king and his subjects, saying that he and his counsell had declynned from religioun, that the Queen of England was an atheist; and, therefore, he was not worthie to be a preacher. The same day was published a charge to apprehend ministers rebooking king and counsell in the pulpit; the tenor wherof followeth:—

"James, by the grace of God King of Scots: To our lovits, &c., messingers, our shireffs in that part, conjunctlie and severallie, speciallie constitute, greeting: Forasmuche as we, with consent of the three estats of our parliament, in the yeere of God 1584 yeere, understanding what great harme and inconvenient has fallin in our realme through the wicked and licentious publict and privat speeches, and untrue calumneis of diverse our subjects, to the disdaine, contempt, and reproache of us, our counsell, and proceedings, and to the dishonour and prejudice of us, our parents, progenitours, and estat, stirring up our subjects thereby to mislyking, seditious unquietnesse, and to cast off their due obedience to us, to their owne evident perrell, tinsell, and destructioun; we alwise continuing in love and clemencie toward all our good subjects, and most willing to seeke their safetie and preservation: Therefore, it was then statuted and ordeanned by us and our estats of parliament, that none of our subjects, of whatsomever functioun, degree, or qualiteis, in tyme comming sould presume or take upon hand, privatlie or publictlie, in sermouns, declamatiouns, or familiar conferences, to utter anie false and slanderous speeches to the disdaine, reproache, and contempt of us, our counsell and proceedings, or to

the dishonour, hurt, or prejudice of us, our parents or progenitours; or to meddle in the effaires of us and our estat then present, bygane, or to come, under the paines conteaned in our acts of parliament, against the makers and tellers of leesings betuixt us and our subjects, which is the paine of death: Certifeing them that sould be tryed controveenners therof, or that heare suche slanderous speeches, and report not the same with diligence, the saids paine sall be executed against them with all rigour, in exemple of others; as in the eight statute of the said parliament, 1584 yeeres, at more lenth is conteaned. In the which, also by another act, our royall power and authoritie, above all estats, both spirituall and temporall, was established. And, therefore, it was ordeanned, that no person, of whatsomever functioun or degree, spirituall or temporall, sould declyne our judgement in anie maters of seditioun or treasoun, and others civill and criminall causes, or in anie contumelious, seditious, or treasonable speeches uttered by them in pulpits or schooles, or otherwise, to the disdaine or reproache of us, our counsell, and proceedings, under the paine of treasoun; as in the said other act at more lenth is conteanned.

"And by reasoun the said wicked and licentious forme of speekers, publictlie in sermons and pulpits, and medling with the effaires of the estat, daylie increasse, by impugning of our lovable acts of parliament, counsell, and proclamatiouns following therupon, with our lovable decreits in civill maters, givin with advice of our nobilitie and counsell, our royall power and authoritie, in all civill and criminall maters of seditioun and treasoun, being brought in doubt and questioun, as though we were not judge to anie speeches of whatsomever qualitie uttered in pulpit, or that the said place, for uttering God's Word in truthe and veritie, sould be a girth and immunitie to false, seditious, and treasonable words, and a caus of declyning our judgement therin, as also, the same is most negligentlie suffered by the auditors therof, testifeing thereby, in a maner, their consent; speciallie by magistrats and men of power, to whom the executioun of all good lawes, and maintenance of our authoritie, properlie perteaneth; therefore, it is statuted and ordeaned, that everie sheriff, stewart, bailliffe of regalitie, proveist,

bailliffes, and counsell, within burrowes, noblemen, barons, and gentlemen of power to landwart, and everie one of them, conjunctlie and severallie, who sall be present, auditors and hearers of anie suche false, seditious, and treasonable speeches uttered in pulpits, publict sermouns, or otherwise, in reproache, contempt, and disdaine of us, our parents and progenitours, our counsell, and proceedings, or medling otherwise with the effairs of our estat, bygane and to come, sall incontinent stoppe and interrupt the same, and utterers therof; and sall take and apprehend them, and putt them in sure firmance, whill we be advertised to take further order therin: at the least, sall stop, stay, and impede the said sayers and utterers of the said false, slanderous, seditious, or treasonable speeches, of all farther preaching in the said kirks, or within anie privat hous within their bounds and jurisdictioun respective, &c., where they have sufficient power to make the said stop and impediment, under the paine of horning, and escheating of all their movable goods perteaning to the said shireffs, stewarts, bailliffes of regaliteis, proveist, bailliffes, and counsell within burgh, noblemen, barons, and gentlemen of power to landwart; and everie one of them, conjunctlie and severallie, who sall be present, hearers and auditors of the said false, slanderous, seditious, or treasonable speeches foresaid respective; and sall not interrupt the same, and apprehend, keepe, and deteane the utterers therof; at the least, who sall suffer the utterer to preache or declame, publictlie or privatlie, anie more within their bounds and jurisdictioun foresaid; and that letters be directed by us, at our advocat's instance, charging the said shireffs, stewarts, bailliffes of regaliteis, proveist, bailliffes, and counsell of touns, noblemen, barons, and gentlemen of power to landwart, and everie one of them respective, to putt our said act of parliament, and this our present act, to due executioun, under the paine foresaid, within fourtie-eight houres after they and everie one of them be charged thereto, under the paine of rebellioun, &c. And if they failyie, to denounce, &c. And that the tryell therof sall come in most summarilie, by suspensioun, by way of supplicatioun. And charge to a macer, to summoun the said advocat to the morne, after the charge to be obteaned by the partie

charged, and to be decided summarilie, before us and our counsell, incace the partie charged denie all bygane contraventioun, and offer to find cautioun under great summes, incace he be found to have contraveened, and for obedience in tymes comming; but prejudice alwise of our right and power to seeke farther paines, suche as paine of life; or the paine of life, lands, and goods, competent to us, against the not reveelers of leesings, seditioun, and treasoun, according to the qualitie of the said speeches respective, which sall be publictlie uttered, and not stopped and reveeled by the persons foresaid, hearers therof, conforme to the old lovable lawes, ordinances, and consuetude of our realme, in persute of treasonable and seditious persons.

"Our will is, etc., make publicatioun heerof," etc.

The same day, the 27th of December, Mr Robert Bruce wrote this letter following, to be directed to the Lord Hammiltoun, after he had heard that he had sent his former letter to the king, and that somewhat altered:—

"My Lord,—I cannot mervell eneugh what sould have moved your Lordship to have abused me in suche a maner. I heere that your Lordship has presented a copie of my letter, directed unto your Lordship, unto his Majestie; a copie, as I have seene, not transumed out of the originall, but a vitiated copie, manked, altered, and so adulterated, that skarselie it keepes the right portraiture of my letter. I knew your Lordship to be facile, but till now I never had a proffe of your malice. I am assured your Lordship's sister sonne, the Erle of Huntlie, would not have done the like that yee have done; and if I failed in anie thing in that letter, I failed onlie in this, in framing my penne over farre to your Lordship's humour, which I know to be ambitious. The king takes it, as I heare, as if I had preassed to sett you in a chaire foreanent him. Surelie it came never in my minde; and of all fooles I had beene the first, if so I had done: but my meaning was onlie to use your Lordship's moyen and countenance, to interceed at his Majestie's hand; and suche intercessioun as yee have made for me and the kirk of God, suche, I doubt not, but the Head of the kirk sall make for your Lordship, before the face of a more fearefull Judge, except

he bring you to a sense of your Lordship's sinne in this: for, looke, what inconveniences have ensued on me, or sall ensue heerafter, ather to me or the good caus, I ascribe all to that deid. And as for me, notwithstanding the strait wherin I am, I would not change my estate with your Lordship. For if conscience be suche a thing as I take it to be, I am assured, howsoever she sleepe for a while in your Lordship, it sall wakin, and then I sall have a greater pitie on your Lordship, than yee have had compassioun on me at this tyme. I compted myself in the number of your Lordship's freinds; but if yee use your freinds so, I crave no longer to be compted of that number. I see it is a tyme of tryell, wherin everie one sall utter suche stuffe as lurketh with him. The Lord that has led us in this tentatioun, leade us safelie backe, to his glorie and our everlasting confort. To Him and his mercie I will committ your Lordship, notwithstanding of the great greefe your Lordship has putt to my heart.

"Off the place of our sojourning, the 27th of this instant December, 1596.

"Your Lordship's patient, farre disappointed of his hope,

"Mr R. Bruce."

Some of the citicens of Edinburgh compeered at Linlithquo, the 23d of December, and therafter were committed to waird, some in Blacknesse, others in the Castell of Edinburgh, to be keeped till farther tryell, viz., James Dalyell, Johne Johnstoun of Newbie, David Johnstoun of Newbie, Andrew Hart and Edward Cathkin, booksellers, and James Cathkin, now also a bookseller, but then a worker of marikin leather.

M.D.XCVII.

MR D. OGILL SUSPENDED.

Upon Saturday, the first of Januar, the king came from the Abbey to the Great Kirk of Edinburgh, and after the sermon made

by Mr David Lindsay, he declared to the people that he meant no alteratioun of religioun, but to establishe the same. The day following, he came againe to the Great Kirk. Mr David Ogill, a minister within the Presbyterie of Hadintoun, preached before him upon the figge tree, ridiculouslie eneugh. Sometymes he flattered the king for the benefite we had under him; sometymes he flattered the ministers of Edinburgh, saying, they were sanctified men that had beene there, though not the learnedest in the countrie. The king marked the speeche, and mocked him. He condemned summar excommunicatioun, grounding himself upon the delay of cutting doun the figge tree. Als soone as he went home, he was suspended by his owne presbyterie, for not obeying their ordinance; for consenting to some things, in name of the presbyterie, without their commissioun. But by the advice of Mr David Lindsay, and Mr Robert Rollock, some ministers in East and West Lothiane were charged, under paine of horning, to come to Edinburgh to heare what sould be propouned to them. The purpose was, to caus them teache by course, becaus the foure ministers of Edinburgh had withdrawin themselves, to eshew the present furie.

In a frequent conventioun of the estats holdin in the beginning of this moneth of Januar, were these rigorous acts made, the titles wherof follow:—

Imprimis, Three acts of counsell confirmed by their authoritie. One, finding the uproare at Edinburgh, the 17th of December, to be highest treasoun, and the authors and partakers, with their favourers, to be tratours in the highest degree. Another, discharging the ministers' stipends that would not subscribe a band acknowledging the king to be onlie judge in maters of treasoun, or other civill and criminall causes, committed by preaching, prayer, or what way soever. The thrid, ordeaning all proveists, bailliffes, shireffs, stewards, and others of authoritie that sould happin to be present at anie slanderous speeches of his Majestie in pulpit, or otherwise, to stay them from anie farther proceedings, take and apprehend, keepe and deteane them, till they sould understand his Hienesse' pleasure anent their offence.

Item, There past an act with these, finding his Majestie to have power to charge and discharge a minister to teache, at anie tyme or place, as he sould thinke convenient.

Item, An act discharging all Generall and Synodall Assembleis and presbytereis to be keeped at anie tyme heerafter within the burgh of Edinburgh, and the Presbyterie of Edinburgh to sitt in Mussilburgh or Dalkeith.

Item, An act ordeaning the ministers' houses in Edinburgh to be appropriated in tyme comming to his Hienesse' use, by reasoun of the treasonable and seditious comploits there devised at sindrie tymes by the former inhabitants; and therewithall the Neather Counsell Hous, for that it was sometymes employed to be a guarde hous, to be an exchecker hous in all tymes comming.

Item, There was a forme of band to be subscribed by the proveist and bailliffes of Edinburgh, and therafter to be presented to the remanent magistrats within burghs, bearing a most strait oath of fidelitie to his Majestie, and obliging them never to suffer anie minister to blaspheme his Majestie, his counsell, and estats, unapprehended, under the paine of perjurie against the whole Three Persons of the Godheid, and under a great pecuniall summe incace of failyie.

Item, The toun of Edinburgh bound never to admitt their former ministers to teache againe within the toun, without his Majestie's consent; never to choose anie other in their place, without his Majestie's allowance: siclyke, never to choose a magistrat, without his Majestie's approbatioun; and the present magistrats to dimitt and resigne their offices over in his Hienesse' hands, to the intent he may, with advice of counsell, elect suche others as he pleases. And farther was injoyned to them, ather to find out the principall offenders, and make their processe cleere, that there rest nothing but executioun before the last day of this instant, or ellis the proveist, bailliffes, deacouns, and counsell, representing the whole bodie of the toun, to enter their persons in waird within the toun of Perth, upon the first of Februarie nixt, there to underly

the law, for the said treasonable uproare, and for their letting to libertie of Mr James Balfour, after his apprehensioun.

Item, The sessioun to be transported to Perth, there to sitt the first day of Februarie nixt, and his Majestie and the Exchecker to remaine till then at Linlithquo, the commissars and shireff court to sitt at Leith.

At the same conventioun were read upon one day but three bills; one of the Erle of Huntlie's, another of the young Laird of Bonyton's, a thrid of the Lord Sanquhar's, three excommunicated Papists.

In the two first, Aberdeen was charged to heare their offers, and finding them agreeable to the law of God, conscience, and quietnesse of the realme, to accept them, and to releave the compleanners of the sentence of excommunicatioun; otherwise, to compeere before the counsell within fifteene dayes therafter, and shew a reasonable caus why, with certificatioun, incace of failyie, letters sould be directed to charge them *simpliciter* thereto.

And, last, there was appointed a number to sitt in everie quarter of the toun of Edinburgh, and examine suche as they pleased, or sould be givin in roll to them: of whose depositiouns, there were writtin manie quires of paper, and yitt amongst all not so muche found as might justlie make a man, to lett be a minister, suspicious of anie conspiracie or foredevised uproare, that could publictlie be punishable.

Upon Moonday, the tenth of Januar, there were three proclamatiouns made at Edinburgh, conforme to the acts foresaid, by sound of trumpet. The first, to intimat that the sessioun sould sitt in Perth, which, notwithstanding, failed. The secund, that the proveist, bailliffes, and counsell of the toun of Edinburgh sould searche and try out the authors and devisers of that treasonable insurrectioun, which fell out the 17th day of December, with certificatioun, that otherwise the whole toun sould be culpable therof; and charging the proveist, bailliffes, and counsell of Edinburgh, to compeere before the Lords of Secreit Counsell at Perth, to underly

the law, the thrid day of Februar. The thrid, that no person, of whatsoever estate, speeke unreverentlie of the king and his counsell, whether minister or others, in pulpit or out of pulpit.

Upon the same Moonday, at night, there was a letter convoyed in to the king after this maner: Johne Boge, maister porter, standing at the gate of the palace, at five houres at night, in the twilight, there came to him one, and said, "Sir, I have mett with you weill, for I was seeking you; for I have a letter unto you from the minister of Kilconquhar, in Fife, who, as yee know, is heavilie vexed for the king's sake, and deprived of his office. He hath sent me unto you with this letter unto your self, which yee sall read, and deliver it unto the king's Majestie, that the king may know more than he knoweth; and I sall come to you the morne, and seeke an answere." John Boge receaved the letters and his owne; presented the other when the king was going to his supper. The king opened it immediatlie, and read it; but raged so, that he could eate no meate that night for anger. The tenor of the letter heere followeth:—

"Please your Majestie,—I have beene oft tymes purposed with myself, since the brewing and beginning of this unhappie storme betuixt your Majestie and the ministrie, to have come and shewed your Majestie not onlie my own minde and opinioun, but also the minde and opinioun of your Majestie's best affected subjects, so farre as I can learne, of your Majestie's proceedings. And this, Sir, my duetie requires, not onlie as a Scotishman, but as a Christian professour, and, farther, one who has found himself obliged to your Majestie, by diverse benefites and good deids, which now to recite the tyme is not proper. And so, your Majestie knowes, *Si ingratum dixeris, omnia dixeris*, which vice I would willinglie eshew. Alwise, being distracted by diverse occasiouns, and now, the tyme falling out verie wrong, I have this farre presumed to shew your Majestie, in writt, that which iniquitie of tyme permitts not to speeke unto your Majestie. I beseeche your Majestie to read and to accept of it, without anie prejudicat opinioun of the writter, and try all spirits, both in speiking and writting, as yee can right weill.

For, Sir, I reverence you, and wishe no better to my owne soule, as the Lord sall judge me at that great day, nor to your Majestie, and that yee may be the most glorious and most religious king under heaven, seing godlinesse has joyned with it not onlie the promises of the life to come, but also the promises of this present life. Sir, I alwayes protest and bespeeke your Majestie to consider of it, if I sall write anie thing wherof your Majestie sall conceave anie offence, it is no wise my minde to doe it, nor anie wise to exasperat your Majestie, for it is writtin, 'Yee sall not speeke evill of the ruler of the people.' For now, Sir, as I heare, all occasiouns are taikin away, whereby anie weill affected may have conference with your Majestie. Where onlie these flatterers have your Majestie's eare, there can be no place for honest men. I will onlie therefore propone foure or five considerationns, which I beseeche your Majestie to weygh and judge of, as yee weill can.

"First, therefore, your Majestie is to consider, that the constant opinioun and just feare of your Majestie's best subjects is, that the purpose of both these within and without the court, in credit and out of credit, in the countrie and without the countrie, is to stirre up the present fire of seditioun, wherin they thinke without all questioun yee must perish, no wise piteing you; as by all appearance yee must, except, say they, the Lord of his mercie move your Majestie's heart with a greater care to quenche this fire in tyme. For yee know, Sir, suche a tyme as this offereth a faire occasioun to suche as seeke preferment by themselves, although with losse of your Majestie's crowne and persoun. Read the First of the Kings, 4th chapter. There yee sall find, that Jeroboam had never come to the crowne of Israell, had not Rehoboam followed young and foolish counsell, which moved the people to mutinie and revolt from their lawfull prince. In the 15th of the First of the Kings, it is said, 'It was the ordinance of God.' And now, Sir, lett me be free with you in writting other men's reports, and that of the wisest politicians. They say, our bygane historeis report, and experience teacheth, that *raro et fere nunquam* has a king and a prince continued long together in this realme; for '*Filius ante diem patrios*

inquirit in annos.' And they say, Sir, farther, that whatsoever they were of your Majestie's predecessors in governement that oppouned themselves, directlie or indirectlie, to God's ordinance in his kirk, it has beene their wracke and subversioun in the end. I might heerin be more particular; but I leave it to your Majestie's owne grave and modest consideratioun, for it concerneth you most neere. Sir, consider men's persons, actiouns, and proceedings, and forme of dealing about you, and be not like the deefe adder, (Psalme lviii.,) that stoppeth his eare, and heareth not the voice of the inchanter, though he be most expert in charming. Sir, (say they,) Mr Patrik Galloway was letted by your counsellers to have conference with your Majestie. Consider what that meanes, before experience teache you; for these men hinder all occasioun of men's meeting with your Majestie, that may doe your Majestie good.

"Secundlie, wise men say that your Majestie has wiselie to consider, both what other countreis, and, namelie, the best reformed sort, both in France and our nighbour countrie, thinke of your present proceedings. And then weygh what your Majestie's owne best subjects esteeme of them, and utter it freelie eneugh among themselves, although your Majestie heare not of it. Surelie (say they) the politicks of other natiouns, lett be the true and zealous professors, esteeme verie hardlie of your present doings; for they say it is a principle of policie, in Machiavell, that whatsoever religioun may stand with the present state and forme of governement, that religioun ought to be mainteaned. Now, say they, this religioun, with the discipline therof, agrees verie weill with this present estat, as experience has provin these thirtie-two yeares, wherin nather schisme nor heresie has beene; the like wherof has never beene heard of in anie countreis of the world. And so, Sir, to alter this religioun it were to offend a principle of policie: for they say the abridgement and impairing of this discipline, and your usurping of authoritie to depose ministers, to charge and discharge them, under the paine of horning, to teache or not to teache, is a readie way, if not to sett up Papistrie, yitt to bring in flatt atheisme.

And, farther, had not the discipline of the kirk beene more reverentlie and better executed than the civill policie was these yeeres bygane, the countrie had beene cast in a most barbarous confusioun. And, Sir, in conscience I assure your Majestie, that I know not a zealous and honest professour this day, who is weill informed how things goe, who accompteth not your Majestie an avowed enemie to this religioun presentlie professed in this countrie, and everie religious professour; so that it is universallie thought it were good for religioun that he sould kythe himself in verie deid a plaine Papist, as your present proceidings both against pastors and professours, and countenancing of the enemeis of your owne estat and crowne, doe testifie. And sindrie speeches are uttered by men, which, in conscience, I mervell to heare. So that within thir few dayes an honest man going to the kirk, and demanding where he went, answered, 'I am going to plaint to God upon the king.' Another said, 'God coole the king weill of this fever.' Another said, 'The weather is weill temperat; I pray God temper the king's heart als weill.' And sindrie other speeches daylie uttered of your Majestie, which were long to sett doun in writt. Sir, men would have you to remember that cursing of a whole congregatioun within the Lennox, within these few yeeres, against your Majestie. And I assure you, Sir, men compt thir hard presages, since we that travell, try, and are acquainted with men's speeches, know thir things best. And moe words say they. Would your Majestie hazard to imitat King James the Fyft, of famous memorie, and travell as a privat and unsuspected man alone through the countrie, yee would gett more informatioun of your Majestie's subjects' affectioun toward you, and that in halfe a yeere, nor hitherto yee have done in all your life long, having flatterers onlie about you, who, holding you in opinioun that all things are weill, when in verie deed they were never more unhappilie, both in kirk and commoun weale.

"Thridlie, wise men say that the strenth of Scotish kings standeth not in the strenth of foure Papists and godlesse counsellers, which as now yee have, but it standeth in the good affectioun of

the subjects' hearts; and speciallie now, Sir, as your estat standeth in, having suche an ey to the crown of our nighbour countrie. And, Sir, if our nighbour countrie beis enemeis to you, as I feare they sall pretend, and promise part they will; for, Sir, they are weill content with this geir, and the enemeis of your estate both within and without this countrie laugh in their sleeve. And they, if your owne subjects leave you, as, indeid, wise men say your maners give them over great occasioun, by your present doings, to alienat their minde from you. And, Sir, men thinke your Majestie has not the moyen to fee men of warre to serve your turne. And, indeid, it is going, that your unlawfull and tyrannous proceedings (for so they terme them) against the ministers of your citie of Edinburgh hath tint you manie thowsand hearts, whom yee sall hardlie conqueis so long as yee live. Sir, there is no honest man darre stand in defence of anie moving against your Majestie, to be lawfullie and duelie tryed; and the just ought not to suffer for the unjust. Your favourable proclamatiouns against the excommunicated and tratorous erles, wherin suche space is granted unto them to doe their turnes, to amasse their forces, and to stay in the countrie without hurt or harme, have opened the mouths of manie men, who before were in suspense what to say, that ye love a traterous and idolatrous erle, better than all the honest professors and pastors in Scotland. Your malicious and infamous proclamatiouns against the ministers, charging them as traducers, leers, factious and seditious persons, enemeis to monarcheis, accepting things upon them against the lawes of God and man, denouncing the foure ministers of Edinburgh to the horne, *indicta causa;* in taiking upon you to judge and cognosce upon the ministers' doctrine; in controlling the acts of the Generall Assemblie, seeking to be supreme Head of the kirk, and soverane judge in all causes; your discharging the ministers' stipends, forbidding the conventiouns and meetings, with sindrie other things. And truelie, Sir, men thinke that no greater persecutioun was used by Julian, Trajan, or Domitian, or anie of the persecutors of the primitive kirk, except that these ancient persecuters medled with the blood of God's sancts. And so men thinke now that yee

would doe, if yee had the men in hand against whom yee have a speciall and directed shott. Wise men say, though ministers were silent at this tyme, the stones would speeke, and cry out against your doings. And, certanelie, if yee strait them, although the men thinke nothing, yitt their poore wives and bairnes will cry against you in their hearts, and call on God for a vengeance to light on you from heaven. And, questionlesse, the Lord will heare the cry of the afflicted ones. And, Sir, there is one thing reported by men, that your blasphemous speeches have greeved the hearts of manie godlie men, not onlie against the men, but even against the simple weomen, misterming them, and shoring to doe them suche wrongs as yee thinke best, which I thinke shame to committ to writt. And, Sir, we heare of an intolerable crueltie against that toun of Edinburgh, wherin, not onlie are they prejudged of their ancient liberteis, but, which is more, the libertie of their conscience is so hurt, in propouning to them suche ministers according to your heart's desire. And truelie, Sir, methinkes that the ministers and justitiars that yee have used for this purpose, evidentlie discover to the world all the iniquitie of that present intentioun, which must be in verie deed for executing suche a vile fact. What needs there (say men) suche a convocatioun to take order with a civill toun, as though there were anie man in Edinburgh that yee may not take order with, according to your lawes, as they demerited, without yee used the assistance of suche godlesse nobilitie, suche as Sempill, Sanquhare, Hume, Hereis, and the rest of that band? Weill, Sir, King James the Fyft, or anie other prince, would have beene verie loath to take up suche an evill course. Send for these foure ministers, whom, men say, now yee accompt tratours, and give them an unsuspect judge, and they will byde a tryell; and if they be justlie convicted of that late seditioun wherewith they are charged, lett them suffer for it. But that cannot be, whill anie of this unhappie counsell remaineth, these foure, I meane, that are in authoritie. Moreover, Sir, these men (say they) are so universallie hated, by reason of the course wherin they have brought your Majestie, in shaiking loose both kirk and com-

moun weale, that good men suspect that part is not in the land where platts and courses will not be layed against them, and executed according to men's power. And, in a word, Sir, men thinke that whill these men have your eare, your Majestie sall never looke for peace to your Majestie's owne crowne, person, estat, commoun weale, and religioun, seing they take their standing to be in disturbing all maters. And so, Sir, to conclude this point, if all the pulpits in Scotland sall sing dumbe, as your doings have begunne a preparatioun in Edinburgh alreadie, yee will not beleeve what a readie way it will make to dissolutioun, and will make the people mutine against you, and tyre of you in their heart. Sir, men compare you to these men, *qui decimabant cuminum, et anethum non omittere, et majora legis omittunt.* But, Sir, '*hæc oportebat facere, illa non omittere.*' Men would have you to take order with thir men whom your Majestie can convict of seditioun, but, in the meane tyme, lett order be taikin with these excommunicated tratours, enemeis to God and his Christ.

"Fourthlie, men would have you to consider wiselie what warrant yee have to crave to be supreme head and judge in all causes, that is, whether yee meane to prosecute it by tyrannie and punishing the ministrie, or by disputing, or ellis by following the exemple of other princes. First, if yee minde to persue it by tyrannie, as it is verie likelie, then assure yourself, Sir, to have the oppositioun of all honest professors and pastors in Scotland. For they say, Sir, suppose men ly by now, yitt when they see maters come to a hight, men will kythe themselves. And policie sould leade your Majestie this farre, to hold among your subjects unitie and interteanement. Nixt, if by disputs yee minde to follow it, they say, that ought to be done in a lawfull assemblie, where yee ought to take no more nor reasoun will give; and nather your Majestie, your counsell, nor nobilitie, may be judge therin, but onlie God's Word must be judge in his caus, with good reasouns resulting therefra. And, thridlie, if yee purpose to have it after the exemple of other princes, your Majestie knowes verie weill, there is not a Popish prince in Europe darre clame the like stile, and a Protestant

prince, say they, there is none but her Majestie of our nighbour countrie. And yee know, Sir, how King Henrie the Eight gott that stile, and how she has bruiked it sensyne; and the most learned, not of Britane onlie, but of all Europ, and the most godlie, have opponned, and yitt doe oppone themselves therunto. And had not her Majestie beene letted by the corrupt bishops, with some particular politick counsellers, that reformatioun had beene there long er now, which they say your Majestie mindeth to chasse away. And, Sir, wise men would have your Majestie to ponder that saying, 1 Tim. iii. 5th verse: 'If anie man cannot rule his owne hous, how sall he care for the kirk of God?' So they thinke, seing there are so manie evill favoured things fallin out in your owne policie, partlie in your owne default, partlie in your counsellers' default, from tyme to tyme, so that wise men are of that opinioun, if both jurisdictiouns sould be devolved on your Majestie's owne person, and (as God forbid) both fall under your judicatour, dreadfull experience would shortlie teache your Majestie the iniquitie of your present sute. And surelie, Sir, craftsmen laugh to scorne, that anie man sould judge in maters of controversie among themselves in their owne craft, but onlie the deacouns of the craft, *Quia unicuique in sua arte credendum.* So that a tailyeour would thinke himself farre interessed if a fisher, or anie, sould controll him in his craft. Now, Sir, wise men, and also simple men, thinke, that if this libertie be granted to merchants and servile trades, that your Majestie doeth great injurie to Jesus Christ, first to controll his ministrie, and to be judge to that part of doctrine which is most spirituall, namelie, of preaching and of applicatioun, which, say they, is the life and soule of the Word, the laike wherof makes deid ministrie, though otherwise learned. And, Sir, I move the questioun upon 'Quhat if,' seing men say your Majestie makes lawes and acts upon 'Quhat if:' what if a minister speeke treasoun in the pulpit: who sall be judge? I say, Sir, what if your Majestie, as the Lord of his mercie forbid, sould be a blasphemer, an idolater, or a favourer of them that hate God; an oppressour of your subjects, a tyranne, and maker of godlesse decreits; an enemie to religioun, an atheist? I pray you,

Sir, were it treasoun to make your Majestie guiltie of anie of these particular sinnes? Truelie, Sir, men say, that the prophets freelie found fault with the corruptioun of good lawes by wicked princes, and have not beene called tratours. So, Sir, this forme of proceeding were to bring libertie to all kinde of sinne. And, Sir, if civilians' interpretatioun of treasoun be admitted, they say it will not extend itself so farre, as yee and your counsellers doe the definitioun, what treasoun would be accorded upon. And this, Sir, I will adde, there is no indifferent man will call it treasoun to speeke against most of your Majestie's unhappie counsellers, and their wicked proceedings, since their preferment to their offices, and namelie, this last halfe yeere. And, Sir, thinke as yee will, men are resolved to oppone themselves in their ministrie against their wicked deeds, if they live. To conclude this part, Sir, men say, it was heresie, in tyme of ignorance, to have the Old and New Testament in English; and yee call all heresie that is done against your wrathefull doings, though men have never so good a warrant out of the two Testaments. Men hold it verie hard where reasoun hath no place, and everie will whatsomever of a prince is compted for a law.

"Fyftlie, and last of all; men thinke your Majestie has wiselie weyghed, as yee weill can, what have beene the grounds, instruments, and drifts of these that have kindled this seditioun. Men take up foure grounds and motives therof. The first on your Majestie's part, the secund on your counsell's part, the thrid on your nobilitie's part, and the fourth on the ministers' part. Which foure being layed together, and your Majestie granting discreit judgements therupon, as indeid yee can take up things weill eneugh when yee please, it sall appeare, from what ground and fountane this storme has rissin.

"The first ground and motive on your Majestie's part, they say, is this, that yee can not susteane to have your doings and proceedings thralled nor reproved in pulpit, nor out of pulpit. In pulpit, they bring for testimonie the arraignement of ministers from tyme to tyme before your judgement-seats, the imprissonment of some,

the banishment of others, your slanderous speeches, harangues, and pleadings against the ministers of Edinburgh, without due and lawfull tryell and inquisition had. And to adde, thir men say that the blood of Mr James Lowsone lyeth yitt on your Majestie's head, who, they say, was a worthie man. Out of pulpit men say that pastorall admonitiouns givin by Mr Patrik Galloway were verie hardlie receaved. And these free rebookes of sinne on your Majestie's owne part have moved your Majestie thus to encroache upon the bounds and limits of Jesus Christ, and in so doing, to have drawin that curse upon your self, Deut. xxvii., 'Cursed be he that removes his nighbour's marke.' And he whose marke, Sir, yee have removed, is not your nighbour, but your Lord and Maister, of whom yee have your crowne; for the two jurisdictiouns were distinguished and established in this countrie, both by lawes of God, your Majestie's acts of parliament, and peaceablie possessed in your Majestie's mother's tyme, although a Papist, and regents succeeding, during your Majestie's minoritie. And now, your Majestie being a Protestant prince, endued with so notable gifts of knowledge and utterance, as all men confesse yee are, and now major, has now made forcible and violent irruptioun upon the spirituall jurisdictioun, without conscience, and sufficient warrant and ground, directlie against the Word of God, your owne acts of parliament, 27 yeares' possessioun, and experience of your subscriptioun and oath.

"The secund fountane, ground, and motive of this storme [is,] the default of your unhappie counsellers that are presentlie about you, who once after they had come to preferment, *per fas et nefas*, secreitlie, directlie, or indirectlie, have sought their owne standing, without care or conscience of the weale of anie man whatsomever, whose infamous names, I am sure, sall remaine to all posteritie and age, to their ignominie; I meane that Romanist president, a shaveling and a preest, more meete to say masse in Salamanca, nor to beare office in Christian and reformed commoun weales, Mr Johne Lindsay, a plaine mocker of religioun; Mr James Elphinstoun, a greedie and covetous man, a preest, without God, religioun, or con-

science, as his godlesse doings can testifie; and the interteanement of that excommunicated, forefaulted, bloodie tratour, Huntlie, in his hous; and Mr Thomas Hammiltoun, brought up in Parise with that apostat, Mr Johne Hammiltoun, and men say the dregs of stinking Roman professioun sticke fast to his ribbes. And, alas! Sir, it is to be lamented that ever suche a prince, to whom God has givin so manie notable gifts of knowledge, sould suffer your self to be led with suche foure malicious counsellers, whose attempt, I hope, yee sall curse one day. These men seing your Majestie's inclinatioun, which is over inconstant in good purposes, accompt you as a facile one; and they seing the ministers sore in rebooking sinne in whomsoever, have concluded their standing and securitie to be in casting the whole policie, als weill civill as ecclesiasticall lawes. For, Sir, in judgement, justice is bought and sold, as I could prove by sindrie instances, and the ecclesiasticall policie is so farre persecuted, that without great danger, nather can pastors discharge their spirituall offices, nor professors concurre. And, Sir, I pray your Majestie consider the degrees of thir men's preferment. First, they were admitted upon the sessioun; Secundlie, to be handlers of her Majestie's living; Thridlie, of your Majestie's revenues and rents, Fourthlie, to the administratioun of the whole commoun weale, which how it is guided, let God and everie honest man record. Alwise for thir men, we say, the Lord reward them according to their workes, and meete them according to their demerits: *Sed interim, patitur justus.*

"The thrid ground or motive is in your Majestie's nobilitie's part, of whom, some are enemeis, some professors, some neutralls. The enemeis yitt are about you, who are so countenanced by you and your godlesse counsellers. The professors, some ly by, some kythe themselves. As for neutralls, a small part of preferment will make them plaine enemeis. Some of them of purpose to flatter, others to shake off this yoke of discipline, others seeking reconciliatioun by other men's disgrace and discredit, have thus incensed your Majestie against the ministrie, and doun must this religioun.

"The fourth ground and motive is in the ministers' part, namelie,

the free controlling of sinne whatsoever, and standing against the corruptiouns of king, court, and counseller. And wisest men think and say, had they winked and beene silent at men's proceedings, and suffered you runne from tyme to tyme intended courses, the crowne long er now had not beene on your head, esteeme of them what yee please; and nixt, they had beene als free of trouble as anie estat in the land, if they durst have gimped[1] with a good conscience. And so, Sir, I end with that saying of David, 1 Sam. xxvi. and 19, 'If the Lord has stirred thee up against me, lett him smell the savour of a sacrifice; but if the childrein of men have done it, cursed be they before the Lord.'

"As for the instruments, we lay the wyte onlie upon your unhappie counsellers about your Majestie's eare, who doe what they will without controlling of anie, that the ministers may be disgraced and unjustlie persecuted as they ar, and religioun defaced, if not quite taikin away; and the Popish lords receaved, them selves to be continued in office. And, Sir, amongst the rest, we heare that your Majestie wrote a verie favourable letter to her Majestie of our nighbour countrie, desiring her that the consciences of good and learned men, namelie, of Cairtwright, sould not be straited with the yoke and boundage which now your Majestie urgeth, whereof in the Word of God they had no warrant, nor no perswasioun in conscience. For, as your Majestie's letter boore, the conscience is a verie tender thing, and is hard to be controlled in maters of religioun. And now, Sir, your Majestie may see, men make your owne letter meete your self. And, therefore, Sir, urge not that of good men in your countrie, the contrare wherof heeretofore yee have testified, by speeking your owne conscience; knowledge, good reasoun beareth witnesse, and that writting, yet extant, records.

"And now, Sir, I end this longsome and tedious letter, full of words; nather will I be so particular in thir great maters as I might be, and would be, if occasioun were offered to speeke with your Majestie, as I have sometyme had. Alwise, Sir, I remit thir, and

[1] Used liberty of speech.

manie other things, to your grave and wise consideratioun. And as for my affectioun to your Majestie's standing and weale in God, I leave that to be weyghed in the Lord's ballance, who one day sall judge the world according to his Gospell, which men would so banish out of this countrie. And, Sir, conceave no evill opinioun that I conceale my name; for as men's affectiouns are inclynned, a prejudicat opinioun stayes, or ellis extenuats the force and effect of the good counsell. And so, Sir, I hope your Majestie will not esteeme anie thing heere to be treasoun against your Majestie, seing it is a privat letter, not communicated to none but your self; a writting of a weill affected and disposed minde to your Hienesse' estat and weelefare, as the Lord sall be my Judge. And thus, Sir, I leave your Majestie to God, who in mercie divert you from this evill course, and establishe your throne in peace and justice. Amen."

Upon Tuisday, the ellevinth of Januar, there was a proclamatioun made in the king's name, at the Croce of Edinburgh, discharging to speeke or commoun with the rebells, that is, the foure ministers, and other citicens putt to the horne, or to keepe their goods and geir; and were charged to bring the same in to the treasurer, with certificatioun, if they failed, they sould be holdin as guiltie as they that were fugitives.

The Queene of England being enformed by her ambassader, Mr Bowes, of the uproare raised the 17th day of December, and of the king's proceedings after, wrote to the king as followeth:—

"My Deere Brother,—If a rare accident and evill welcomed newes had not brokin my long silence, I had not now used my penne-speeche, being carefull of your quiett, and mindefull of your safetie, to omitt the expressing of both, by letting you know how untymelie I tooke this new begunne phrenesie, that may urge you to take such a course as may bring into opinioun the verifeing of suche slander, as yee avowed unto me to be farre frome your thought. In this sort, I meane some members, with their companeis, have over audaciouslie emboldenned themselves to redresse some injurious acts, that they feared might overthrow their possessioun; which though I grant, no king for the maner ought to beare

the same, yitt, at the instant, the new come banished lords be returned, and they seeme winked at without restraint, and spring growing on when promised succour was attended, together with manie letters from Rome and ellis where sent abroad, to tell the names of men authorized by you, (as they say, though I hope falsely,) to assure your conformitie, as tyme may serve you, to establishe the dangerous partie, and faile in your owne. I waile in unfained sort, that anie just caus sould be givin unto you to call in doubt so disguised acts; and hope that yee will try this caus, as it harme not you, though it ruine them. You may of this be sure, that if you make your strenth of so sandie a foundatioun, as to call to your aide suche aiders as be not of your flocke, whereas the one side be foolish, rash, head-big, and brain-sicke, yitt such as may defend you, having no sure anchorage, if yee faile them, and the other, who have other props to susteane them, though they laike you; yea, suche, as though your privat love to their persouns might inveigle your eyes not to peirce into their deepe treasoun, yitt it is weill knowne that their manie petitiouns for forraine aide might have tended to your perrell, and countrie's wracke. For seldome cometh in a stranger to a weaker soyle, that thralleth not the possessors, or dangeres it at least. I trust yee thinke no lesse, or ellis they must justifie them selves to condemne you; for without your displeasure, not feared for suche a fact, no answer can scheild them from blame. Now, to utter you my follie, in seeming bissie in another's effaires, I hope you will not mislyke, since the surse of all is, the care of your good, with desire that nocht be done that may embolden the enemie, decreasse your love, or endanger your suretie. This is in summe the fine wherunto I tend. And God I beseeke to direct your heart in suche sort, as yee please not your worst subjects, but make all know in measure what is fitt for them, and make difference betuixt errour and malice. With the true thought of her that meanes you best,

"Your affectioned sister,

"ELIZABETH R."

THE ABSENT MINISTERS SLANDERED.

The ministers of Edinburgh, after they had withdrawin themselves, were slandered by evill-affected persons, both by their tongues and pennes. For some tooke the paines to write libells against them, speciallie Mr Hercules Rollock, some tyme Maister of the Grammar Schoole of Edinburgh. But his verses were answered by others who favoured the truthe. The ministers themselves were carefull to vindicat their owne innocencie by apologeis, which were spread at that tyme, and went from hand to hand. Mr Robert Bruce and Mr Walter Balcalquall prefixed this letter following to their Apologie:—

"*Increasse of all spirituall wisdom and strenth, together with the practise of holie obedience, be multiplied upon you.*

"Notwithstanding, brethrein, that it stood us greatlie in hand to have obviated the foule slanders and odious calumneis givin out against us, by some publict answere long er now, yitt we still forboore, hoping this way to reclame our enemie, and to raise in him some bowells of pitie and compassioun of our estat; partlie fearing also his Majestie's farther irritation. We sent some grounds and scrolls secreitlie, for satisfactioun of our freinds, but with expresse command that they sould not see the light, nor come in publict, except there were no hope of recoverie in them; yitt we cannot tell how it comes to passe, thir scrolls fall in the president his hand: he incenseth his Majestie, and moveth him to a farther choler by them, so that now we are forced to alter our purpose, and suffer these things come furth, which otherwise gladelie we would have buried for ever. And suppose we give our pen now some further libertie nor otherwise we thought to have done, he that feares God will excuse us; for their desperat malice forceth us to break our silence, and cleere our ministrie after a sharper maner nor we intended. Gladelie would we have keeped peace in God with all men, and speciallie them whom his Majestie has so farre honoured, and

placed in so high rowmes, if they could have keeped anie hoe[1] or measure in their crooked course. There was no untruthe in these scrolls, nor no suche thing as could justlie irritat anie man. We purposelie absteaned from all bitter speeches, from all doubtsome and uncertane brutes. In this answere we keepe the substance of the scrolls; but we eeke and we paire, as we see most expedient.

"This greeveth us most of all, that his Majestie sould take thir things as spokin to him, and misconstrue our good meaning. We heard that his Majestie tooke offence cheefelie at two things conteaned in these scrolls. In this apologie we have left out both, and if we knew that there were anie other thing heerein that might offend his Majestie justlie, we sould absteane gladelie therefra; suche reverent affectioun beare we alwise to his Majestie's honour. And suppose we be now so straited, that we are forced to seeke our confort under the feete of strangers, among suche godlie and learned men as tender us in God, where our report would be both trusted and reverenced, we know kings have long ears. Lett his Majestie backe-speare us als narrowlie as his Majestie pleaseth, if his Majestie sall not find that we have keeped an honest and loving ductie, with all reverent estimatioun of him, we are content that his Majestie withdraw his countenance and favour for ever. We would therefore most humblie crave that he would suffer us to stand to the defence of our owne ministrie, and that he would withdraw his countenance and authoritie from assisting so manie proud and furious adversars against so few poore and simple men, that have fighting eneugh at home, in their privat and domestick estat, pinched with povertie, and with want of all outward things, suppose they were not oppressed a feild with so manie woolves and vulturs, without all helpe or refuge in the earth. For therin consisteth especiallie the honour of princes, to pitie the miserable, to releeve the oppressed, to rescue the wrongs of the poore, and to tender and respect the weaker part, especiallie in keeping a good conscience, where right and truthe standeth with them. This sould

[1] Pause.

redound to the immortall renowne of his Majestie his princelie estat, to all posteritie.

"We know what they pretend, and how they insinuat themselves in his Majestie's affectioun, that it is for his honour, and for the priviledges of his crowne, that they strive. We remember to have oft heard of his Majestie his owne mouth, that he craved no farther honour nor jurisdictioun nor is due to him by the Word of God. If it may be found by the advice of holie learned men, within or without the countrie, that we have withdrawin anie part or parcell of that honour from his Majestie, we are not onlie content to confesse our fault publictlie, but also underly suche civill punishment as his Majestie pleaseth to impose. For we are bound in conscience to give his Majestie all honour and reverence, to obey all his lawes and commandements, so farre as they agree with the Word of God, under the paine of damnatioun; as his Majestie, on the other part, is bound to receave and beleeve our doctrine that are sent unto him, under the same paine, so farre as it agrees with the Word of God.

"Now, the questioun falleth in, Whether our doctrine or prayers agree with the Word or not? This questioun must be tryed of force by the Word. The Word is the onlie tuichstone that must decide this mater. Now, who has the keeping of this tuichstone, appearandlie they must first judge and controll this doctrine. If his Majestie pleaseth to come doun and condescend in particular what he would have eshewed of us in doctrine, and forborne, we sall give his Majestie a present and a readie answere. But under a generall, under the colour of the names of seditioun and treasoun, to discharge the rebooking of sinne, we are assured his Majestie will never thinke it reasonable. If we speeke by gesse of anie man, without a warrant; if we make things publict that are privie in themselves; and if we, in word or deid, seeke his Majestie's dishonour before his people, we have no immunitie by the pulpit: we are content to be punished, to the exemple of others. For we are not in that errour, as some esteeme of us, as to thinke that our gift is ather immeasurable or incontrollable. The gifts and graces of God his

Spirit were onlie without and beyond all measure in our Head and Saviour, Christ. And in respect he was God also, he behoved to be above all, and subject to the controlment of none. We have them in a small measure, according to the measure of his donatioun; and the measure which we have receaved is so farre from a perfectioun, that we have mister to see the thing that we see daylie, better and better; yea, we are so farre from vindicating a perfection in anie thing, that we acknowledge our best things to be mixed with imperfectioun. We clame no perfectioun but a good conscience in all things. Onlie lett us play the pairt of faithfull watchemen, to give tymous wairning; to reprove publict and knowne sinnes, and that only to the end that our people admitt no contagioun, and the sinner may be sivvered from his sinne, if it be possible. For this last point, tuiching the rebooke of sinne in all persons, lyeth so straitlie to our charge, that it is both inevitable and indispensable: for we are expresslie discharged to communicat with anie man his sinnes, of what calling and ranke so ever he be, except we will wilfullie involve our selves in his guilt and punishment also.

"If it be a reformatioun according to the Word that they seeke, we will not onlie joyne the right hand of fellowship with them if they please, but we will also yeeld to it in all humilitie. If otherwise it be a platt overthrow, als weill of the true and free worship of God established in the Word, and by the late act of parliament, (suppose it be a custome with us, that dispensatiouns with acts sould be better favoured nor the acts themselves, yitt in all other natiouns it is compted a great indignitie,) as also our persons, his Majestie will give us leave to resist it, as God sall furnishe us grace. And we crave no farther, but that his Majestie will heare us without prejudice, and judge therafter as the caus meriteth, and as we have deserved at his Majestie's hands. We take us not to his Majestie, nather to the nobilitie of Scotland, nather yitt to the barons and gentlemen, nather yitt to anie old counseller: we take us onlie to the Sessioners. Thir are the men that have raised this tempest, and pulled doun the storme upon us: against them we

speeke, of them we meane, and to them we turne our penne. We can not crave the overthrow of our discipline and libertie, the persecutioun of our persons, the trouble of the kirk, the divisioun of the whole countrie, which is like to ensue at no man's hands ellis, save at theirs onlie. It may be, as it is verie likelie, they have had manie other complices in the worke; yitt none tooke it upon them so pertlie, drew the draught, nor layed the platt, but these foure. The President is the ringleader in this worke, the accuser of the brethrein, the urger of their trouble; looking no doubt for the office of the Cancellarie by thir meanes. Against these, at the least some of them, the kirk was minded to have used her censures, and to have applyed the last medicinable censure, were they would not incurre the offence of his Majestie. We spaired them, but they have not spaired us. So it is against them that we have to doe. We crave all that feares God to marke them, and to marke the course of God his judgements following them; for if they be not spectacles of the Lord's wrathe, except they prevent, by speedie and unfained turning, his farther furie, there was never none in this earth.

"They could not choose a more proper subject to exercise their ingyne, and to sey[1] their craft on, nor us. They have leaped the wall where they thought it weakest. We are weake, indeed, yea, just right noght, the verie refuse and offscourings of this world; yitt our hope is in the name of the Lord, that made the heaven and the earth. Yee have not learned Anna her song, as appeares. She sings that 'No man sall be strong in his owne strenth;' and the apostle biddeth us be 'strong in the Lord, and in the power of his might.' We willinglie rejoice in our infirmiteis, that the power of Christ may dwell in us. When we are weakest, then are we strongest. He calleth these things that are not, and by calling he maketh them to be. Suppose we be weake, He that is, and liveth in us, is not weake. There is a power in Him passing the power of man, passing the power of kings, passing the power of angels, yea, passing the power of all the creatures together. By the sillie netts of

[1] Try.

poore fisher men, he drew in the verie pride of the world, and made them beleeve; and by the follie of preaching drew in the greatest politicians and wisest men of the world, and made them dee willinglie for their beleefe. And for beleeving what, I pray you? Even of things contrare to the law of the world, and to the witt of man; namelie, that this Jesus Christ crucified is God, and that it is a blessefull thing to endure all sort of trouble for his sake. Yee know not, as appeares, whence we are, nor whether we goe. Yee might have knowne us by our walking thir yeeres bygane, that we were of another generation nor yee are. We professe ourselves to be the successors of them who, through faith, subdued kingdoms, quenched the violence of the fire, escaped the edge of the sword, of weake were made strong, who were tryed by mockings and slanders, by bonds and imprissounments, of whom the world was not worthie, who, through their faith, obteaned a good report. Yee sall find it is with Him yee have to doe, and not with feeble flesh. It is a fearefull thing to fall in the hands of a consuming fire.

"But, brethrein, it is our sinnes that have promoved thir men; that have enarmed them, and sett them on worke against us. If the godlie King Josiah, when he heard the booke of the law read, and compared the age of his forefathers with the present estat of his kingdom, rent his cloaths, for horrour of the judgements that he heard denounced in the law; if the prophet Jeremie, in his tyme, so soon after Josiah his death, when the defectioun beganne but to breake out, and the whole land to declyne from the ancient wayes of the Lord, upon the consideratioun of God his fearefull judgements to ensue, brake furth into suche deepe and extreme lamentatiouns, that he wished unto himself a cottage in the wildernesse, where he might remaine, never to returne to the land, to behold ather the enormiteis present, or the calamiteis to come, but there continuallie to lament and shed furth abundance of teares, for the wrathe and desolatioun that was to fall upon it, wishing his head a fountaine of teares, and his eyes as bucketts therunto, what occasioun of lamentatioun and sorrow have we, in thir most dangerous, yea, almost desperat dayes, wherin ungodlinesse and un-

righteousnesse, that were wount of before to round and whisper in the eare, to cover the face for shame, is growne now so peart and impudent, that she darre stop up to the Mercat Croce, draw downe her maske, sett out her shamelesse forehead, and spew out of a foule mouth vile blasphemeis against God and his servants? What heart would not melt and breake to behold the estat of that countrie, the breache whereof is lyke the ocean sea; wherin the best men, as would appeare, are content to be blinded, winke with their eyes, stop their eare, and turne away their shoulder, least they sould heare the cryes of the Daughter of Sion, behold her bloodie wounds, lowt down, and helpe her? There is none that calleth upon God, yea, there is not one that stirres himself up, as the propheit speeketh, to take hold on him.

"Seing maters goe so hardlie, brethrein, what resteth there for us to doe, but that we sould preasse to make our right use of all thir things? And, first of all, lett us labour our owne hearts, to bring them to a true sense and feeling of sinne; to waken them out of the craddell of securitie, wherein the sinnes of this age are so lulled on sleepe, that the most part goeth laughing to hell. Lett us strive in prayer to bring our selves to a taist of a groaning and brokin spirit. Lett us fetch our sighes from the verie depth and bottom of our soules; and lett us practise these Christian vertues which we have beene preaching unto others, to witt, repentance, faith, hope, love, patience, sanctificatioun, whereby we may glorifie our God, edifie our flockes, give good exemple to strangers, and keepe joy in our owne soules, with assurance that we sall see his face in glorie. If we sall sanctifie and prepare our selves this way, there is no doubt but our deliverie in mercie sall shortlie follow. But, in respect this preparatioun is not in our sleave, to shake it out when we please, lett us crave it of God. He has promised to give both, by his propheit Zacharie, in cap. xii., verse 10: 'I will powre (sayeth he) upon the hous of David, and upon the inhabitants of Jerusalem, the spirit of grace and compassion.' (There, the preparatioun; and immediatlie upon the backe of this preparatioun, in the beginning of the 13th, he promises,) 'There sall be a foun-

tane opened to the hous of David, and to the inhabitants of Jerusalem, for sinne and for uncleannesse.' There the deliverie. If we be prepared in mercie, we must be delivered in mercie. Lett us therefore urge the Lord with his promise, that in this great securitie, and want of all outward things, we be not pinched also inwardlie, for laike of sweet and saving health to our withered soules. He is bountifull, and full of compassioun. Pray for us, brethrein, in spirit, that we make our Christ our joy, our gaine, our glorie, as there is none able to fill our heart, and satiat our affectioun in thir three but he. To him be praise, glorie, and dominioun, for ever and ever.

"From the mountaine of the Lord's providence, who is our onlie hid and secreit place at this houre."

As their Apologie itself came in sindrie men's hands, so, among others, to Mr Johne Spotswod, now Bishop of St Andrewes. He appeared to be so fracke in their caus, that he would needs give it a sharper edge. The copie I have heere subjoynned:—

> "2 Pet. iii. *Bewarre least yee be plucked away with the errour of the wicked, and fall from your owne steadfastnesse.* Philem. *Through your prayers, we trust to be givin againe to you.*"

"The crosse of Jesus Christ is never free of the calumneis of the wicked; and it is Satan's craft to sow lees alwayes of the Lord's servants, but speciallie under their persecutions, that so the holinesse of the caus for which they suffer may be obscured, and the glorie of their sufferings may quite be extinguished. This was his dealing with our Lord and Maister in the dayes of his humilitie. The apostles in their tyme, and the martyrs of the primitive kirk, proved the same. Wherefore, we have not to compt it a strange thing that this way our innocencie is traduced, and that whill we suffer for the good caus of God, we are by manie condemned as malefactors. In all thir reproaches which I heare to be givin out against us, though the testimonie of a good conscience uphold us,

yitt, moved by manie reasouns, I have thought meete to declare, by way of apologie, our innocencie in all thir crimes of treasoun and seditioun wherewith we are so falselie charged, and to sett doun the just and lawfull warrants of our present eshewing: which being considered, will satisfie, I am assured, everie man that standeth in doubt of either of thir. Suche as have sett themselves maliciouslie against us, the good caus, and Kirk of God, we remitt to that righteous Judge that sall revenge himself with power, and ere it be long reward them according to their workes.

"Then, I will first repeate the historie of that broyle, as it fell out upon Friday, the 17th of December, and by the true narratioun therof discover the falshood of these calumneis, which partlie are conteaned in their proclaimed libells, and partlie are givin out by them in their counsells, and other meetings, against us. The truthe is, that the said day, immediatlie after doctrine, certane noblemen and barons, by our desire, conveenned themselves in the East Kirk, where we imparted to them our estat, and made them privie to our greeves. For we thought it meete to stirre their affectiouns after this sort, that with the greater instance they might interceed at his Majestie's hand, and purchasse by their credit that which we could no wise obteane by all our doleances givin in from tyme to tyme. I was chosin mouth in that meeting, and I referre me heerin to all that were present, (and they were manie famous men,) if my speeches tended to anie other scope save this onlie. With one consent the Lords Lindsey, Forbesse, the Lairds of Barganie and Blairquhan, were nominated, and I, by the brethrein, was desired to goe with them, and propone the mater to his Majestie.

"We were of mind to have gone doun to the Abbey; but hearing his Majestie was in the Tolbuith, we turned our course that way. We found his Majestie in the upper hous, and spake to him in thir termes, so neere as I can remember: 'Sir,' said I, 'the barons, brethrein, and gentle men, apprehending the danger to religioun, in this dealing against the ministrie, and true professors therof, have directed some of our number to your Majestie.' 'What danger see yee?' sayes the king. 'Under commouning,'

said I, 'our best affected people, that tender God's glorie and religioun most, are charged off the toun; the Ladie Huntlie, wife to the apostat, is interteaned at court; and we have great suspicions that her husband is not farre off. All these indicat our dangers.' 'What have yee to doe with that?' sayes his Majestie—and with this he departeth, preassed, as appeared unto us, by the president, and others about him. So we communicat our answere to the brethrein in this sort: 'We went to his Majestie, as yee desired us, but are not weill accepted, nor yitt our greeves receaved; and so yee have to consider what is nixt to be done.'

"It was thought meete to reserve the greeves to a better tyme, and, in the meane while, to knitt up a covenant with the Lord, to stand to our professioun, and the defence of the good caus, to the last breath. Therunto all agreed, testifeing the same by holding up of their hands. There was a great applauding of all the multitude that was in the kirk heereto; but I besought them for silence, and to behave themselves quietlie, for the regard they had to the good caus. They keepe peace, and whill we are proceeding, a cry comes off the street, with these words, 'Save your selves; a tumult is in the gate!' There goeth another cry through the street, 'Arme! arme!' The people mervelling what the mater might be, lappe to the gate, thinking there had beene a fight amongst parteis. The greater number of honest burgesses being in their houses, sent to inquire the maner. They heare that we are invaded, and the cry went that the ministers are slaine; wherupon they runne out in haste with their armes. The barons and gentlemen that were in the kirk gett up, and doe me the courtesie to putt me in the loodging, and then they retire to their owne, being minded, after they sould know what the mater meant, to returne to the kirk-yaird, for they also feared our invasioun. I remained awhile in my hous. Some of my brethrein passed to the street, to behold the maner, and incontinent returned: they sent for me, and by this were the barons and gentlemen come backe to the kirk-yaird. They shew, that there was among the people a great disorder, but it was a false alarme, for no man could perceave the caus of the fray. We lamented it heavilie, and sent for some of

the magistrats, requiring them to pacifie the people, as they promised to doe. The Lord of Marr, and some with him, came from his Majestie, with verie faire and gracious speeches, as we could have wished; after which we goe to the East Kirk, and being quietlie sett, we direct the same commissioners for the most part that went before, to shew his Majestie that the tumult greeved us very sore, and to beseeke him for some substantious remeed to all thir evills. His Majestie accepteth our desire in verie good part, and willeth us to propone our petitions in writt to the counsell, at after noone; promiseth a reasonable answere to them all, and farther to certifie us all of his Majestie's affectioun to religioun, and the preachers therof. The Lord Colonell, the Lairds of Traquair and Cesfurd, are sent from his Majestie, who putt us in expectatioun that all maters sould be fullie pacified. Then we dissolve with a singular contentment in heart, giving publict thankes to our God, who by his providence had so weill disposed of all things that day, as no man had receaved anie harme, and the people had so quietlie at the voice of the magistrats retired to their houses.

"This is the true historie of all that which past amongst us that forenoone. Manie beheld it, and if I fained anie thing, I might be called an impudent man. Lett the libell published against us be examined according heereto, and yee sall perceave it patched of a number of manifest untruthes. It confounds these things that in themselves are disjoynned in place, persons, and tyme, for the tumult was long after the meeting of the barons. The tumult was in the street, the meeting was in the East Kirk. The meeting stood of lords and barons in a small number, the tumult was of the meane people in a great number. To say the tumult was the birth of the meeting, I can not see in what probabilitie it can be affirmed. For the first meeting was lawfull, warranted by the Word of God, by the lawes of the realme, and suche a meeting as we had beene in use of all tymes before, speciallie thir moneths last; for everie day almost we had our meetings, and therin whiles few, whiles moe gentlemen with us, as that day, by occasioun, there was a greater concourse of noblemen than had beene anie tyme before. Nather may they alledge a discharge of their meetings, by that proclama-

tioun which was published in the 27th of November last, seing we have our conventiouns established by act of parliament in the yeere 1592, to the which no proclamatioun of Privie Counsell can derogat. And nixt, we have for this his Majestie's commissioun by advice of his estats, givin to certan of the ministrie in all the parts of the countrie, for calling and conveening with them erles, lords, barons, freeholders, gentlemen, inhabitants of burrowes, and others his lieges whatsomever, at whatsomever places and dayes they sould thinke expedient; and to require the confessioun of their faith, their oaths and subscriptiouns heereto, and to the generall band which was devised for the maintenance of true religioun, with a sufficient warrant to them to conveene to that effect. Which commissioun his Majestie and estats ordeanned to be putt in print, as the samine was done, and yitt is extant and undischarged. Farther, the proclamatioun of November last was interpreted by another edict of * * declaring, that the same extended no farther than to the unlawfull convocatioun of his Majestie's lieges in armes. So then, the first meeting is necessarilie good; and a caus that is necessarilie good can not worke an evill effect. If the tumult be the effect of this caus it must be good; or if it be evill, as it appeares to be, they must derive it from another fountaine. Surelie, it is against all reasoun to make a connexioun of wicked events with good and honest beginnings; and so to doe has beene alwayes damned by all good lawes and constitutiouns. I remember Bald. in Concil. 309, cites thir lawes, '*Si mulier ff. Reu. Annot., et l.* 11, *ff.* 6, *bonor. rapt. et per illa jura scribit, si aliqui justo modo se congregaverint, licet ex tali congregatione sequatur postea malum, non tenentur qui eos congregaverunt, quia satis est quod initium fuerit licitum, et ob bonam causam:*' That is to say, If there be anie persons that lawfullie have conveened themselves, howbeit an evill fact fall out upon their gathering, yitt are they not to be compted guiltie that conveenned them; becaus it is sufficient to them that the beginning was lawfull, and upon a reasonable caus.

"I am led, as yee see, to expone the caus of our meetings, and to lay furth our greeves to the view of all good men, which I heare our enemeis doe laugh at, esteeming there is no suche danger as we

affirme to be. Therefore consider, what a great decay is threatned to religioun by the apostat lords their peaceable coming in the countrie; and though forefaulted by the lawes, for their odious treasoun against their native countrie, prince, and religioun, yitt offers and conditiouns are made unto them, easier then they could have wished, the Ladie Huntlie, a professed Papist, in favour at court, and all their favourers in cheefe credit at the same. During their absence, they were knowne to traffique with Pope and Spaniard, for supplee of men and money, and promise of supplee was made them, how soone they sould returne to their countrie. All this was made manifest to his Majestie and counsell, by the letters intercepted at Marsills, sent from Rome by the ambassaders of Spaine to their maister, the double wherof were sent home by Colonell Murrey, this last sommer, to his Majestie; yitt no regard was had to the said intelligences, howbeit the same conteaned the platt and purpose of the enemie for the subversioun of religioun, the surprize of the whole countrie, by the possessioun of all the ports between St Andrewes and Stirline, and the destructioun of his Majestie's person.

"Thir perells have beene concealed from the estats, not reveeled in a lawfull conventioun, no order taikin for the withstanding therof; but conventiouns have beene keeped in their favour, and licence givin them to remaine, whereby they have beene emboldenned to a continuall negotiatioun sensyne, and have made leagues and bands, and joynned to themselves manie associats; and where it had beene necessar to have persued them with all rigour, and their cautioners, for comming in the countrie without licence, in place therof a cruell pursute has beene devised against some brethrein of the ministrie, for certane speeches uttered by them in pulpit, three or foure yeeres since, purposelie to draw the jurisdictioun of the kirk in questioun, to stoppe the mouths of pastors from the free rebooke of sinne in all persons indifferentlie, that the saids tratours might have the better accesse to his Majestie, and, under a colour of their peace, practise their treasonable attemptats precogitat and concluded long of before. For this have the commissioners of the Generall As-

semblie beene discharged to conveene themselves in anie sort; proclamatiouns have beene givin out slanderous to the ministrie, and hurtfull to the liberteis of the Gospell; and the more we compleanned, the worse we were receaved, [so] that he is blind that sees not the causes of our greefe more than necessar to have beene insisted on. This for the first point of the libell.

"They affirme, nixt, that we were the hounders out, the personall assisters and applauders to the tumult. If we were the hounders out, then I speare, who stayed it? who restrained the furie?—for the most part of the magistrats say they were inclyned to us. So we behoved ather to be quenchers of this flame, or there were none to quenche it. And to say that we were the personall assisters, is not that a vyle calumnie? Did I goe out of the kirk or kirk-yaird? Had I anie sort of armour? Did not the brethrein that went to the gate goe in their gownes; and tended not all their speeches to ends platt contrarie, namelie, to the quietting of the commotioun? This is so weill knowne, as the enemie may not deny it, be he never so malicious; nay, certanlie, there was nothing more against our hearts. For we saw weill the advantage that the enemie would take by it, to obscure the holinesse of our caus, and irritat the prince against us. So all our care was to pacifie the tumult. We report us to the commissioners that came from his Majestie, namelie, the Proveist of Edinburgh, the Laird of Tracquair, the Lord Colonell, the Laird of Cesfurd, and my Lord Uchiltrie, if all our answeres tended not to have his Majestie satisfied.

"Thridlie, they ashame not to say, that our drift was to offer violence to his Majestie. I leave that as an absurd blasphemie, unworthie to be answered; and I say, in uprightnesse of heart, I had rather have quyte my naturall soyle for ever, or a drop of the blood of anie of these counsellers (how great so ever their malice be against us) had beene drawin that day; for we know weill it sould have beene layed upon us alwayes. But praised be our God that provided otherwise. We sang this song the Sabboth after, and this song we sing yitt, for it becomes us to resemble the sheepe and lambes of our Maister's lezure. Lett the wolves and dogges that

are without his sheepe-coate keepe their naturall, and satiat their lust, as they are wount to doe: as for us, the Lord will provide in mercie. I speeke the truthe; I lee not: the Lord beares record unto my conscience, that in sinceritie of heart I walked that day, alwayes studeing to have things pacified upon whatsomever conditiouns, for I liked no way that forme of proceeding. And, therefore, I appeale the devisers, penners, and allowers, of that detestable libell, before the high tribunall, where no doubling sall be, and forging sall not be accepted. And, O God, raise thou in their hearts a tribunall: cite, accuse them by their owne consciences, that in the light therof they may see their iniquitie, and in the force and furie therof they may feele the greefe, the shame, the despaire, the just torment, that useth to follow suche leing detractiouns. If our intentioun was suche as they have libelled, then lett this working light on us; but if we be unjustlie traduced, of thy mercie and for thy glorie's sake cleere our caus, as we confide greatumlie thou will.

"Now, we heare that a letter of ours, directed to the Lord Hammiltoun, and presented by him to his Majestie, is muche aggredged. If it be ours, our subscriptiouns will beare it; if it be a copie, it must agree with the originall, or ellis we are not to answere to it. If it be suche a copie as we have seene, we protest it is altered so farre, that our sense and meaning ryseth not so cleerelie therof as in the originall. In our letter we craved no other thing, but that he, with the rest of the barons, as a cheefe nobleman and peere of the realme, would interceed, and imploy his credit and moyen at his Majestie's hands, to see, if it were possible, the kirk restored to the libertie and freedom she wount to have. If our letter had fallin in the hands of benigne interpreters, we needed not to have feared the misconstructioun therof. But what is so weill spokin, that may not be throwne and perverted to a wrong sense? Of all the fooles of the world, we had beene the first, if we had meaned, as I heare it is taikin, to sett him in a chaire forenent his Majestie. We were better acquainted with his weaknesse and facilitie nor so; and, surelie, we had made an evill cosse. We

promise you, if they fyle us in this point, they fyle most innocent men; for it came never so muche as in our minde, and sall never come, by God's grace. We knew before his other imperfectiouns, but now we have prooffe of his malice; and, I thinke, he that has dealt so untruelie with the servants of God, sall never be true to anie. I say, farther, could we desire him to anie other end nor we desired the barons? We desired them to interceed onlie, as they will testifie themselves. So we craved no more of him but mediatioun. If there was anie fault in that letter, it was in that I framed my penne to his ambitious humour. And yitt, I trust, I past not my bounds. Nather wrote I to him anie letter this long tyme before, and I had not writtin this, if he had not beene a suter therof; for some brethrein, resident at his owne kirks, shew that he tooke in evill part, that he was so overseene and neglected. They desired to putt him to a prooffe; and suche a prooffe as this is will serve for our tyme. For my self, it is weill knowne, I nather spake nor wrote to him thir two yeeres; for he hounded out his man, the Person of Crawfurdjohne, to seeke my living indirectlie; and after he saw he could not have it without my owne advice, he moved the Person to stirre up some brethrein of the ministrie against me, and came in person, and stood up in the last Generall Assemblie holdin at Montrose, and oppouned himself in my face, by word and writt against me. Sensyne, I craved no favour of his Lordship, and hoped for little, nather has he disappointed me of my expectatioun that way.

"Then, wherefra, I pray you, sould this mutatioun proceed so suddanlie, to sett him up so high? Surelie, before Huntlie came home, I am of the opinioun that no man of my calling was farther in his Majestie's affectioun nor I; and I am perswaded, if the Papists had not returned toward us, I had continued so; and what has beene my part to his Majestie at all tymes, in privat and publict, I report me to some of his counsell. I might also report me to her Majestie. She can testifie what was my care and solicitude for him. But this letter, say they, has discovered me to be an hypocrit. None will say so who has anie right sense. But, I

feare, a short tyme sall discover us both; and, alas! I feare it, with over great a losse, yea, with an irreparable losse. Alace! that he sould be so farre blinded, to trampe so foullie on God's glorie in us. The Lord mitigat his judgements toward him, which this doing portends. This farre, for clearing my innocencie, and to vindicat my ministrie from these fumes and mists whereby they seeke to obscure the puritie therof; wishing all the faithfull to thinke charitablie of us, and to pitie the cace of the Gospell, and to pray with us for a new re-edifeing of the spirituall worke, which is so farre overthrowne in this countrie.

"I goe to the warrants of our flight, wheranent I will labour to be short; for I thinke no man will controvert this, that it is lawfull to flee in tyme of persecutioun. Our Maister giveth us our warrant in the x. Matthew, 23d verse, 'When they persecute you in one citie, flee in to another.' In the ix. of the Acts, 25th verse, the disciples laboured for Paul his escape at Damascus, whill he was persued and sought for by Aretas, as is to see in that historie. The Fathers in the primitive kirk (as Athanasius, Chrysostom, and Polycarp, who was after a martyr, their doings prove) did esteeme the same to be lawfull. Nather is flight alwayes an argument of feare, and laike of courage. The Greeke proverbe, ανηρ ὁ φουγων παλιν μαχησεται, He that flees will fight againe, requires a wise foresight in men, and forbids foolehardinesse. It is naturall to feare death, and provide for life, and to be prodigall of the life which God has givin us, I see it no where allowed. I compt him prodigall of his life that lawfullie may eshew a perrell, and has the meanes offered him for eshewing, yitt he neglects it; and I call that a lawfull eshewing that agrees with the estat of our calling, and fights not with the glorie of our God, the onlie principall end of all our actiouns. Now, who knowes not, that the glorie of God is sometimes more advanced by the saving of his servants from the enemie's furie, than by their exponing to the same? Our Maister's manie escapings before the appointed tyme, and in the first persecutiouns of the kirk, the faithfull their withdrawing of themselves to solitarie places, makes this manifest. And it makes for the

weale of the flocke, that the pastor, in dangerous tymes, even hyde himself; for whill he liveth there is hope that the woolve may be skaired by one meane or other, nather is the pastor to be accompted *desertor gregis sui; deseritur a grege.* Then, if I shew, that, in our present flight, we have all the causes and respects foresaid, warrants upon everie one of them, not supposed, but undoubtedlie true, I thinke yee sall be satisfied in this point. So I have first to qualifie our persecutioun, and nixt, to give you the reasons of our choice.

"For proofe of the persecutioun, I alledge their proclamatiouns sett furth against the ministrie thir moneths last, wherin are conteaned a number of slanders and infamous reproaches layed to the preachers of the Word, as thereby also have our meetings beene discharged, and all assistance to be givin us by barons, or others whatsomever, has beene forbiddin. I may alledge their mockes and scoffing speeches uttered against the ministrie in their counsells and other places, where it is mervell to thinke how we are traduced. Surelie, in this, they goe beyond Ismaell. I bring, thridlie, the preparative past in the servant of God, Mr David Blacke, who was challenged in a mater of doctrine, upon a spirituall subject. And howbeit he lawfullie declynned, and in everie point cleered himself sufficientlie against that libell in forme, as it was libelled, yitt they found themselves judges, proceeded to his convictioun, and commanded him to waird. Now, I reasoun, if they used him after suche a sort in a spirituall subject, in a mater of doctrine, in a challenge so weill cleered, what sould we have looked for, being charged upon a criminall point, so highly aggredged, that carieth with it so manie appearances in the eyes of evill affected men? And sall I omitt that ridiculous interlocutor, whereby the counsell usurpes the judgement of doctrine, and applicatioun therof, by which our office is in effect discharged? Fourthlie, The prejudice made us in their proclamatioun on Saturday, the 18th of December, manifested their cruell intentioun to us ward, wherin they condemne us as raisers of the tumult, though nather heard, nor brought to our answere. Fyftlie, Consider the maner of their charges. They command our flocke to apprehend us, which were to use us as

opin malefactors. No man can take it otherwise. They make the place of our waird the Castell of Edinburgh, which to me were a suspicious waird, as all men know. When this failed, they charged us openlie at the Mercat Croce, to compeer within three dayes after, to answere for the treasonable attemptat against his Majestie. And before what judges? even before these that had shewed themselves our enemeis, ever since the beginning of thir troubles, and had brokin the appointment that was once fullie agreed betweene his Majestie and us. I will not blame all the counsell; for some of that number, I doubt not, carie an honest heart to the good caus, his Majestie, and the commoun weale, and others amongst them desire quietnesse and peace to the kirk, for suretie of their owne estats. I will not blame these, nather, least I appeare too sharpe a censurer. But of these men I meane, that now beare cheefe swey, and are in greatest credite; who are knowne to have a course direct against religioun, and for this have preassed to cast doun all our discipline, and are begunne to intreate the ministers of the Gospell verie hardlie. Is it meete, or was it meete, that we sould accept these men to be our judges? Last, on this point, I enquire if this be not Julian's persecutioun, to discharge the stipends of the ministrie, except they subscribe a band devised by them for entrapping all the teachers, one by one, as they see tyme? Then it is manifest there is a persecutioun.

"For our choice, I alledge, first, the testimonie of a good conscience, which assures us that we have done the best for the tyme; and God is our witnesse, we had onlie a respect to his glorie, and weale of the caus, as feeble nature would suffer. What care we had also of our flocke, we remitt that to their owne testimonie. They knew we would not have forsaikin them, evin to the laying of our lives for them, if they would have stood for themselves, and our just defence. But they conceaved, as we saw, a hazard to themselves by our remaining. They had condescended to offer us to the enemie's furie, and grew so faint-hearted, that I may compleane we were forsaikin of that people, and evill dealt with these for whom we have oft tymes stand before the Lord. I will

construe the best alwise of the greatest number of them, but I pray the Lord from my heart to avert his wrathe from that citie, which I feare. We have with this, the advice of the commissioners of the Generall Assemblie, together with the advice of our brethrein of the presbyterie, approving our choice. For they saw our outbeing might serve muche more to the weale of the caus than our remaining. If we escaped their crueltie, as some hope was, (and for my owne part, I never feared my life,) yitt I looked that none of us sould have escaped a long and dwynning imprissonment, without a manifest hazard and craze of conscience. And as for the slander of our taiking the cryme upon us by flight, it was too weake a reasoun to have stayed us. Our Maister was challenged for being an enemie to Cæsar, and yitt innocent. He withdrawes himself till the tyme appointed come. Paul is accused for making seditioun in Jerusalem by his doctrine, yitt he tarieth not to answere. So our suffering, of what sort that ever it be, cannot be free of suche slanders, and we hold these to be not the least parts of our sufferings.

"But now, we heare it is said, and fleeth in the mouths of manie, that our deid and word agrees not, our actiouns and doctrine are contrarie. In doctrine, we promised to wair our blood; in deid, we flee to spair our blood. For answere, we said at no tyme absolutelie, but at all tymes, by God's grace, we sould seale up that truthe with our blood. This we said, and when it sall please him to call us to that effect, I doubt nothing but he sall strenthen us to follow his calling. But presentlie, he calleth us to flee, to reserve our life to a better tyme. So whether we flee, whether we byde, from him we sall never flee, by his grace, and without him we sall never byde. There be few called to the honour of martyrdom; and as to our selves, the Lord knowes, we compt our selves most unworthie of it. It may suffice us weill to be compted in the number of his witnesses, to give him a testimonie in meane sufferings, nothing doubting, but if he call us to that honour, he sall also enable us. That with Him we flee at this tyme, it appeares manie wayes, but namelie, in the caus, in the just and most urgent caus,

that moveth us thereto. There is no lawfull caus of flight, so farre as we know, save onlie that wherof we have spokin, persecutioun. This caus in our cace is manifest, and in a high degree, as yee have seene. So our flight must be just. Our Maister commands, if we be persecuted, to flee. Now, his command craves readie obedience. It is not our part to disput, consult, and dryve tyme, but to follow and it were blindlings.

"Besides his calling in his Word, we have his calling to this by his Spirit in our consciences; for our hearts were never so tranquill at home, nor we had never so cleere testimoneis of his favour, as we have had sensyne; yea, we have his calling also by his Spirit in the brethrein, as I said in a writt agreing heerto; and, last, we have undoubted evidences of his calling in his fatherlie providence sensyne, providing recepts, providing sureteis, mollifeing the hearts of strangers, and making all things facile for our convoy. Now, what were we to resist suche evidences, as to contemne suche wairnings? We compt it to tempt, yea, we might be thought to presume, and to be prodigall of the life which He would have reserved for his farther service. And the way of presumptioun is not our way, it is not the high way; the way of feare and trembling is our ley way. We leave the way of presidence to them that presume of their owne strenth, and abound in their owne senses. He is more nor blind, that sees not the Lord approving our choice daylie, and justifeing our flight to the eyes of the blind world; for when the gentlemen and good burgesses for our caus, that are not within the compasse of anie law, are so farre abused, how farre thinke yee sould we be, if we were in their grippes? Suppose they were greeved at us, it was somewhat tolerable; for we spake in their play, and discovered their drift to the world. But to be greeved at gentlemen, and suche as gave us a night's loodging onlie, we can see no reasoun, but will and malice. Surelie, for our owne parts, we were als indifferent to byde as to goe, and als readie for the one as the other. And if our flocke at their pleasure had not persecuted us, and if they in tymes past had shewed themselves indifferent judges, and not plaine enemeis, and if our innocencie, by

this late incident, had not beene so farre obscured, yea, I say more, if they had beene at themselves, and not so farre caried away with preposterous troubled affectioun, supposing the thing that was not, we durst have committed our selves hardilie to their judgements. But seing them in a furie, and so farre blinded therewith, we thought it meete to let the blood recoole from their hearts, and suffer them to returne to a sounder minde and judgement before we entered. But I am in great doubt if ever they sall returne. *Nam neque imperium neque philosophia mutat affectus, sed Spiritus Domini renovans.*

"It is true, they have gottin the first few of us, and they have compted us alreadie guiltie. But wrong compt is no payment. We live in that hope by God's grace, the tyme sall come, wherin we sall be heard before more indifferent judges; and if that faile us, we appeale to the great and righteous judgement of Him who sall rescind all wrong sentences, and make everie man's conscience show him the right, ather to his weale or to his woe, and that for ever. Where the Spirit of God is, there is libertie. They are onlie free whom the Sonne of God maketh free. Blessed is he to whom the Lord imputeth not his sinne. Up, heart, therefore; converse with Him. In Him thou art free. In Him thou art strong, in Him thou art wise. Sivver not; increasse thy unioun, power, and thy affectioun more and more on Him. Grow in love, and love sall make all things easie. The Lord inlarge our hearts, and make them capable. Lord, yett out thy Spirit, and make them spirituall, and give thy gift of perseverance, that we may continue to the end, and in the end.

"I will conclude, (becaus to you, my brethrein, I cheefelie write,) I wish you to remember, that to stand for us is a part of your duetie, by letting our innocencie be knowne to the faithfull; and labour, I beseeke you, to keepe the good and holie caus for which we suffer free of all slander, as possiblie may. It is a tyme of tryell, a gentle, I say, and not a fyrie tryell. Then, fy on us, if we shew not the Lord's strenth in us, and patience in this tyme, which sall not be long. If the enemie's furie be not restrained, we may cer-

tanelie looke for greater crueltie. And if the Lord sould call us to suffer death for his truthe, sould we not suffer? If he call us to banishment, wherin oft tymes are moe evills than in death, lett us embrace it also. But away with this, that the discharge of our stipends sould move us anie white to consent to iniquitie! The Lord will provide for all your necessiteis. Therefore, encourage one another, and be strong, for the Lord will trade Satan under foote shortlie. And as to these that have brokin the peace of our kirk, tramped upon God's glorie in us, exponed his Majestie's person to so appearing dangers, lett be to the secreit wrath of a craibbit God, and have offered our chief citie, which in tyme past was the onlie terrour of the enemie, to a prey, can we thinke that the Lord sleepes, and sees them not, nor their doings? Will He never restore holie Sion to her decking and glorious ornaments? Yes, He will; and in the sight of men sall he glorifie himself of the wicked, er it be long.

"Now, the God of all strenth strenthen you, and be with you, to keepe you and your ministrie blamelesse to the end. Faithfull is He that has called you, who will also doe it. Pray for us. I charge you in the Lord, that this letter be read to all the brethrein. The grace of our Lord Jesus be with you. Amen.

"From the place of our sojourning, the fourth of Januar, 1596.

"Your brother suffering for the Gospell,

"R. Bruce,

"*Minister of Christ's Evangell.*"

Mr James Balfour and Mr William Watsone wrote likewise an Apologie, conteaning the causes of their withdrawing themselves for a seasoun, which agreeth in substance with the former Apologie, and that with the advice and concurrence of Mr James Melvill. These their Apologeis were justified by the exact examinatiouns of the citicens; for howbeit manie quires of paper were spent upon their examinatiouns and depositiouns, yitt could not anie thing be found to make anie citicen, let be a minister, guiltie of anie conspiracie, or forethought uproare, but that onlie they feared a massacre, or

the invasioun of their ministers, and that for that effect they tooke armes. It is true, that when the uproare was raised, some two or three uttered some rash and inconsiderat speeches, as it is usuall in suche accidents.

A SYNOD AT LEITH.

The synodall assemblie of Lothiane conveenned at Leith upon the first of Februar. Mr Johne Preston, Mr Edward Bruce, Mr William Oliphant, were sent to them in commissioun from the king. They having the moderator, Mr Robert Rollock, at command, by the moyen of Mr David Lindsey and Mr Patrik Galloway, now receaved again by the king in his favour, gathered the assessors, and shewed that the king was miscontent James Gibsone sould preache, except he conteaned himself within bounds. After muche adoe, he was at last permitted, upon promise to aime at God's glorie and the peace of the kirk, as the Lord sould direct him. He preached to all their contentment, so that the king's commissioners wished the king had heard him. And yitt he justified the ministers of Edinburgh, wishing the ministers there present would goe together to the king to procure them favour; and that not being granted, to grant nothing. Muche adoe there was for choosing men to occupie the places of the absent ministers in Edinburgh. Some withstood *simpliciter;* the most part yeelded, that foure or five of Edinburgh Presbyterie, and one out of everie one of the rest, sould preache in the Great Kirk of Edinburgh upon the Wednesday, and Sabboth day before and after noone, till the beginning of Aprile, upon these conditiouns: 1. That their teaching sould not be prejudiciall to the returning of their ordinar ministers. 2. That they sould have the king's favour. 3. That the readers be discharged. 4. That the toun grant to be divided in parishes. After that was granted, the king's commissioners would have had Mr David Ogill restored, and the ministers of Edinburgh excommunicated; which was taikin in evill part, and refused by all.

In the meane tyme, the Sessioun or Colledge of Justice satt in

Leith, and not at Perth, as was first intended, where they remained two weekes.

A SYNOD HOLDIN AT FIFE.

The king finding that he had gottin a shew of advantage, but no just ground, by the overthrow of the kirk of Edinburgh, was emboldenned to encroache farther upon the liberteis of the whole Kirk of Scotland. A number of questiouns were published in print, whereby the whole discipline and governement of the kirk was called in doubt, and ordeanned to be disputed in a solemne conventioun of the kirk and of the estats, which was to be holdin at Perth about the end of Februar. These questiouns were moved by the king, to brangle the discipline, not becaus he was offended at that uproare which was raised in Edinburgh the 17th day of December, (as some would beare the world in hand,) or tooke occasioun therof to alter the discipline of the church, and, indeid, no just occasioun was offered. These questiouns were devised before by Mr Johne Lindsey, one of the cheefe Octavians, and the commissioners of the Generall Assemblie were advertised the yeere before, and before the 17th day of December, that a great number of missives were writtin and readie to be directed, for calling a conventioun of estats and Generall Assemblie, for resolutioun of the questiouns, the copie whereof yee may find inserted in their proceedings in the Register, on Saturday, the elleventh of December; and, likewise, mentioun made of them in their proceedings, the elleventh of November, the 21th, the 29th of November, and secund and sixt of December, both before and after Mr David Black's declinatour. So that it is cleere that the king intended, before the 17th day of December, to worke an alteratioun in discipline, and to sett the ministers on worke to defend themselves, that they might be diverted from persuing the excommunicated erles; which was also the ground of calling Mr David Blacke before the counsell, for speeches uttered three yeeres before.

The king sent missives to the presbytereis, to wairne them of

this meeting at Perth. The Synod of Fife, holdin at Cowper, the eight of Februar, ordeanned everie presbyterie to nominat two of the most wise and resolute of their number to meete at St Andrewes, the 21st of that instant moneth of Februar, to conferre and resolve with commoun consent upon the most solide and substantious answeres to these questiouns. After earnest incalling on the name of God, grave and weightie consideratioun of the dangers the kirk might fall into, if the governement therof, established manie yeeres agoe by the lawes of the countrie, and according to the Word of God, practised peaceablie, and accompanied with a rare blessing of sinceritie and concord, voide of all errour and schisme even to this day, sould now be called in controversie, and brought in doubt, by reasoning among men unskilfull in the Scripture and kirk effaires, without the advice of a Generall Assemblie, or anie other inferiour assemblie of the kirk; namelie, at suche a tyme when the notorious enemeis therof, after so long preparatioun, are now in full readinesse to accomplishe their intents, to her utter overthrow; the synod ordeanned their brethrein, David Fergusone, Mr Thomas Buchanan, Mr Robert Wilkie, Mr Robert Durie, Mr William Scott, Mr Thomas Dowglas, and Mr Johne Fairfull, to passe from the present Assemblie in commissioun to the king's Majestie; and in all humble reverence and duetifull maner, by all good arguments and reasouns, to travell with his Majestie, that the Assemblie appointed to be holdin at Perth may desert, or at least be prorogued or continued to the tyme appointed by the last Generall Assemblie, with consent of his Majestie's commissioners, according to the act of parliament; that is, to the moneth of Aprile nixtocum, at which tyme the Assemblie was appointed to be holdin at St Andrewes; and to give their advice tuiching his Majestie's intentiouns and purpose published in print; to shew in speciall that no presbyterie have power to give commissioun to anie of the brethrein, to call in questioun, or putt in doubt the determinatiouns and conclusiouns of the Generall Assemblie, no more than a particular burgh may call in questioun or controversie his Majestie's acts of parliament; so that, howbeit the presbytereis sall direct

their commissioners to Perth, to keepe the day appointed by his Majestie for testifeing their due obedience, they can no wise come instructed to putt in questioun, or alter anie constitutioun of a Generall Assemblie. In like maner, to desire that it would please his Majestie to relaxe the ministers of Edinburgh from the horne, and repone them again in their owne rowmes, as also, Mr David Blacke to his owne place at St Andrewes; and to assure his Majestie that he can doe nothing more acceptable to the faithfull in the countrie at this tyme. Farther, to beseeke his Hienesse not to suffer anie thing to be published in print, tuiching the late proceedings betuixt his Majestie and the kirk; and to assure his Majestie that therin they had a speciall care of his honour and estimatioun, which can not but be impaired amongst the godlie and sincere professors in all realmes, if our controverseis come in their hands. At this Assemblie, also, was read the band which the king and counsell devised to be subscribed by all the ministers, under the paine of losse of their stipends, that is, in effect to rescind the declinatour subscribed before, at the calling of Mr David Blacke before the king and counsell. The Assemblie judged the band to be unlawfull and superfluous, for manie and diverse reasouns.

INSTRUCTIONS GIVIN BY THE SYNOD OF THE PROVINCE OF FIFE TO THE COMMISSIONERS TO BE CHOSIN FOR EVERIE PRESBYTERIE WITHIN THE SAID SYNOD, TO GOE TO THE CONVENTIOUN APPOINTED BY HIS MAJESTIE AT PERTH; THE WHICH, THE SAID SYNOD ORDEANNED THEM, AND EVERIE ONE OF THEM, PRECISELIE TO KEEPE.

"First, Yee sall shew that they are come for obedience to his Majestie, and not for that they acknowledge that to be a lawfull Generall Assemblie, by reasoun that it was not appointed by the last Generall, nor convocated by advice of the commissioners of the last Generall Assemblie, as has beene the practise of the kirk

at all tymes before, within this realme, warranted by the Word of God and lawes of the countrie.

"*Item*, Yee sall shew that yee may not condescend, in anie wise, to the reasouning and putting in questioun the maters of the policie of the kirk; becaus the Generall Assemblie of this realme, to which yee are subject, has determined alreadie the same, which determinatiouns yee have also subscribed unto, and none may call the same in doubt, and put them in reasoning, but a Generall Assemblie. Therefore, yee sall desire his Majestie, in all humilitie, for continuatioun of the reasoning to the ordinar assigned Generall Assemblie, to be holdin at St Andrewes, the 26th of Aprile nixtocum.

"*Item*, If no continuatioun can be obteaned, and yee be urged to proceed, yee sall protest for the liberteis of the kirk, and, plainlie disassenting, keepe yourselves free of everie thing that sall be done theranent.

"*Item*, Becaus the conventioun is appointed by his Majestie onelie for the questiouns, yee sall not meddle in anie maner of way with the receaving of Huntlie or other excommunicats, or anie other thing remitted from synodalls or presbytereis, or properlie belonging to a Generall Assemblie.

Item, Incace the brethrein among themselves, or his Majestie, or anie of his counsell, enter in a reasouning with you, or anie of you, in privat, that yee hold fast by these generall grounds: 1. That the whole externall governement of the kirk must be tane out of the Word of God. 2. That the ordinar pastors and doctors of the kirk must shew the will of God out of his Word, and that onlie to be followed. 3. That the pastors and doctors of the Kirk of Scotland have, with long and grave deliberatioun, sett doun and constituted the whole externall discipline and governement of the kirk, according to the which it has beene these manie yeeres so happilie governed and ruled, that no heresie, schisme, or dissensioun, hath had place therinto, unto this houre; and that there is none bearing office in the kirk who calleth the same in doubt. It would therefore please his Majestie not to suffer the rare and most peaceable and decent constitutioun therof to be disturbed, by exagitat-

ing of fruictlesse questiouns, namelie, at this tyme, when Papists preasse by that meane of disputatioun, namelie, to brangle and pervert all.

"*Item*, Yee sall travell with the ministers, barons, and noblemen that sall happin there to be conveened, that an uniforme supplicatioun may be made and givin in, for restoring of the ministers of Edinburgh, and Mr David Blacke, again to their flockes; and behave yourselves heerin, in the feare of God, and love of Christ and his kingdome, faithfullie and providentlie, with all duetifull reverence to the king's Majestie."

The Presbyterie of Edinburgh, being in jealousie likewise of the king's proceedings, limited their commissioners, in forme as followeth:—

THE FORME OF COMMISSION GIVIN TO THE COMMISSIONERS OF THE PRESBYTERIE OF EDINBURGH.

"Forasmuche as his Majestie has appointed a Generall Assemblie of the ministrie, to conveene at Perth, the last of Februar instant: And, to that effect, his Hienesse has directed letters missives to diverse presbytereis within this realme, and, among others, to the brethrein of the Presbyterie of Edinburgh, willing and desiring them to addresse two or three of the wisest and most discreit brethrein of their number to the said Assemblie, against the said day and place, instructed with commissioun, and their best advice and opinioun, in maters tuiching the policie of the kirk, as the same beares: The brethrein, therefore, of the said presbyterie, to witnesse their humble obedience to his Majestie, as to their soverane, have directed, lyke as, by these presents direct, their weil-beloved Mr David Lindsey, Mr Patrik Galloway, Johne Duncansone, ministers, with power to them to conveene and assemble themselves with the commissioners of other presbytereis that sall happin there to be conveenned; to heare and see what sall be proponed anent the treating of the difference of the civill and ecclesiasticall judgements, and maters concerning the policie of the kirk, and exter-

nall governement therof, and to report to them; but no wise to proceed in reasoning, voting, or concluding anie thing, which may be prejudiciall to the constitutiouns of the generall kirk, anent the said maters; and to deale therin according to the instructiouns givin in writt, and no otherwise. To all which we give the brethrein foresaid our power and commissioun, promising to hold firm and stable," &c.

Subscribed by the clerk of the presbyterie.

Instructions to the Brethrein.

"1. Yee sall shew that yee are come for obedience to his Majestie, and not for that yee acknowledge this to be a lawfull Assemblie; by reasoun it is not appointed by the last Generall, nor convocated by the commissioners of the last Generall Assemblie, as has beene the practise of the kirk at all tymes before in this countrie.

"2. *Item*, Yee sall shew that yee may not condescend anie way to the reasoning of the maters of the policie, becaus the Generall Assemblie, to which yee are subject, has alreadie determined the same. Which determinatiouns yee have also subscribed unto, and none may call the same in doubt, or putt them in reasoning, but the Generall it self. Therefore, yee sall desire his Majestie, in all humilitie, for a continuatioun of the reasoning till the ordinarie Assemblie, which is to be in St Andrewes, in the moneth of Aprile nixtocum.

"3. If no continuatioun can be had, and yee be urged to proceed, yee sall protest for the liberteis of the kirk, and keep yourselves alwayes free of everie thing that sall be done theranent.

"4. Becaus this Assemblie is convocated by his Majestie onlie for thir differences, yee sall not meddle in anie maner with Huntlie's receaving, or anie other thing properlie perteaning to the Generall.

"5. Last, Yee sall travell with the ministrie, barons, and noble men, that sall happin there to be conveened, that an uniforme sup-

plicatioun may be made for restoring the ministers of Edinburgh to their flocks, and to behave your selves heerin prudentlie, as accords."

The king declared what was his intentioun in moving so manie questiouns anent the discipline, in the Preface to the Reader, before the printed questiouns, the tenor wherof followeth :—

"*To the Reader.*

"Forasmuche as it is one of the principall points of the office of a Christian king, to see God rightlie honoured in his land, for effectuating wherof, it is necessar that the spirituall office-bearers in the kirk not onlie teache sound doctrine concerning the points of salvatioun, but likewise observe suche a comelie order in the spirituall policie (agreing with the Word of God, the lovable custome of the primitive kirk, and with the lawes of the countrie and nature of the people, for repressing the vices wherunto they are cheefelie inclynned) as best may serve to establishe and mainteane the puritie of religioun : Therefore, it becomes everie Christian king, as fathers, nourishers of the kirk within their dominiouns, and revengers of the breaches of both the Tables, to strenthen and assist, by the concurrence of their civill sword, the said spirituall office-bearers in the due executioun of their calling; and, on the other part, to compell them to exercise faithfullie their office, according to the rule prescribed to them by the Word of God, not suffering them to transgresse the limits thereof in anie sort : We, therefore, having had due consideratioun heerof, and perceaving not onlie a great libertie used in applicatioun of the doctrine within our countrie, without anie cleere warrant of the Scripture as yitt alledged for proving of the same, as also, a great obscuritie in diverse points of discipline and policie of the kirk, novelteis daylie creeping in, the lawfull authoriteis and warrants therof not being as yitt made manifest, have thought comelie, following the lovable exemple of the Christian emperours of the primitive kirk, to conveene and assemble a nationall councell, als weill of the ministrie as of our estats, and of all sorts of men of deepest learning and greatest

sinceritie in religioun, to be holdin, and to beginne to sitt in our burgh of Perth, the last of Februarie nixtocum; gravelie to treat, reasoun, consult, and determine, (according to the Word of God as the onlie rule,) upon the cleering and distinguishing of the spirituall jurisdictioun, als weill in applicatioun of doctrine as in the whole policie and governement of the hous of God. And to the effect that all men may come the better prepared to the said conventioun, being duelie forewarned and advised with the maters that then are to be treated on, we have thought good to sett doun certane articles therof, in forme of questiouns, as heerafter followeth; taiking God, the searcher of all hearts, to record, that our intentioun in this is no wise to trouble the rest and peace of the kirk by thornie questiouns, or to clame anie tyrannicall or unlawfull governement over the same, but onlie to see all suche troublesome questiouns solved at this tyme, which, if they still remained in doubt, might ather in our tyme, or in the tyme of our successors, breed slanderous debates; and that the policie of the kirk be so cleered, as all corruptiouns may be weeded out of the same, and none suffered heerafter to creep in, that thereby the glorie of God may be advanced, all grounds of farther questions betuixt us and the ministrie may be removed, and a pleasant harmonie and mutuall concurrence between us may be established, to the great confort of all good men, and terrour of the wicked."

Upon the 29th of Februar the brethrein appointed out of everie presbyterie of the Synod of Fife conveened at St Andrewes, where they tossed sindrie dayes the king's questiouns. The short summe of their answeres to the questiouns heere followeth:—

THE QUESTIONS PROPONED BY THE KING, TO BE RESOLVED AT THE CONVENTION OF THE ESTATS, AND GENERALL ASSEMBLIE, APPOINTED TO BE AT THE BURGH OF PERTH, THE LAST OF FEBRUAR, 1596.

Answere, (1 Tim. vi.)

"*If anie man teache otherwise,* (*viz.* than the apostles have taught, concerning the governement of the hous of God, which is his kirk,) *and consents not to the wholesome words of the Lord Jesus Christ, and to the doctrine which is according to godlinesse, he is puffed up, and knoweth nothing; but dotteth about questiouns and strife of words, wherof cometh invy, strife, railing, evill surmisings, vaine disputatioun of men of corrupt mindes and destitut of the truthe, who thinke that gaine is godlinesse: from suche separat thy self.*"

"*Question* 1. May not the maters of the eternall gubernatioun of the kirk be disputed, *salva fide et religione?*"—"*Answere.* They may not. 1. The governement of the kirk being alreadie established, and constituted upon good grounds of the Word of God, by lawes of the countrie, and more nor threttie yeeres' possessioun. 2. And namelie, at suche a tyme, when the Papists are readie bent to shake and overthrow the kirk and Gospell. 3. When that unformall conformitie is sought by our nighbour enemeis of the discipline, the bishops of England. 4. In so dissolute an estat of a lawlesse and justicelesse people. 5. When no edificatioun, but destructioun, and breeding of schisme and dissensioun within the bowells of the kirk, may arise therof. 6. When none of the pastors or doctors of the kirk doubteth theranent. 7. Lett the king and counsell consider how intolerable they would thinke it, to cast in doubt the fundamentall lawes of the kingdom and acts of parliament; or if anie man would putt in arbitrement his undoubted possessioun, leaning upon a law, and decreit, and right unreduced.

"*Q.* 2. Is the king severallie, or pastor severallie, or both conjunctlie, that sould establishe the acts anent the externall governement of the kirk; or what is the forme of their conjunctioun to make lawes?"—"*A.* All acts of the kirk sould be established by the Word of God conteaned in holie Scripture, the ordinar interpreters wherof are the pastors and doctors of the kirk: the extraordinar, in tyme of corruptioun of the whole estat of the kirk, are propheits, and suche as God endues with extraordinarie gifts; and kings and princes ought, by their civill authoritie, to ratifie and approve that by their lawes, and vindicat by their civill sanctiouns, which they declare to be God's will out of his Word.

"*Q.* 3. Is not the consent of the most part of the flocke, and also of the patron, necessar in electing pastors?"—"*A.* The electioun of pastors sould be made by them who are pastors and doctors lawfullie called, and who can try the gifts necessarilie belonging to pastors by the Word of God. And to suche as are so chosin, the flocke and patron sould give their consent and protectioun.

"*Q.* 4. Is it lawfull for the pastor to leave his flocke against their wills, albeit he have the consent of the presbyterie; and for what causes sould the presbyterie consent thereto?"—"*A.* When the flocke will feare and obey men and not God, and not keep their faithfull pastors from wrong, and dint of deidlie malice and violence, in suche cace, the pastors, by consent of their presbytereis, may leave their flockes.

"*Q.* 5. Is it lawfull for a minister to use farther applicatioun nor that which may edifie his owne flocke; or is the whole world the flocke of everie particular pastor?"—"*A.* A minister may declare and apply the Word of God throughout the whole Scripture, and His workes wrought throughout the whole world, for the glorie of God, and edification of his particular flocke.

"*Q.* 6. Is he a lawfull pastor who wanteth *impositionem manuum?*"—"*A.* Impositioun, or laying on of hands, is not essentiall and necessar, but ceremoniall and indifferent, in admission of a pastor.

"*Q.* 7. Is it lawfull to pastors to expresse particular men's

names, counsellers, or magistrats, in pulpit, or so vivelie to describe them, that the people may understand whom by they meane, without notorious declared vices, and privat admonitiouns preceeding?" —"*A.* The canon of the Apostle is cleere, 'Them that publictlie sinne, rebooke publictlie, that the rest may feare.' And so muche the more, if the publict sinne be in a publict person, bearing publict office and charge, which, not being corrected, might endanger the publict estat; nather can anie sore be healed without the plaister be particularlie applyed to the person, and place of his sore, otherwise he does nothing of the pastorall duetie aright. And suche as find fault therewith, thinke more evill to be called vitious nor be vitious indeid; and, like fooles and bairnes, choose rather to dee in their disease than abide the cure.

"*Q.* 8. For which vices sould admonitions and reproving of magistrats passe publictlie from pulpit, in their absence or presence respective?"—"*A.* For all publict vices against the first and secund Table of the Law of God, and that in all congregations, becaus all have interest in their king and superiour magistrats. Therefore, all sould know their danger, and be moved to pray for them.

"*Q.* 9. Is the applicatioun of doctrine in pulpits lawfull, which is founded upon informations, brutes, and rumors, suspicious conditiouns, 'if this be, and that be,' probabiliteis, likenesse, or unlikenesse in things to come in civill maters; which all may be false, and consequentlie the doctrine following therupon: or sould all applicatioun be upon the veritie of knowne and notorious vices?"—"*A.* There is no bruted vice or corruption but may fall in the person and offices of men, and commounlie the same is muche worse nor the brute. Therefore, though this were, there were no great perrell of one speeking truthe therin, albeit there nather has beene nor is anie applicatioun used, but against over notorious veritie of vices.

"*Q.* 10. Is the text which is read in the pulpit the ground wherupon all the doctrine sould be builded; or may all things be spokin upon all texts, so that the reading therof is but a cere-

monie?"—"*A.* The Apostle to Timothie, Epist. 2, cap. iii. answeres cleerelie that there is no Scripture which is not so rightlie inspired by God, that it is profitable for doctrine, refutatioun, correctioun, admonitioun, yea, even to make the man of God perfyte for all good works: And to the Romans, Whatever is writtin is for instructioun and consolatioun. So this is but an ignorant and ceremonious questioun.

"*Q.* 11. May a simple pastor exercise anie jurisdictioun without consent of the most part of his particular session?"—"*A.* He may, with consent of the best part, which commounlie is not the most. For he, being the messinger of God, and interpreter of his Word, has more authoritie with a few, nor a great multitude in the contrare.

"*Q.* 12. Is not his sessioun judge to his doctrine?"—"*A.* The Word of God, and exponers therof, the pastors and doctors, are onlie judge of his doctrine: The spirit of the propheits is subject to the propheits, 1 Cor. xiv.

"*Q.* 13. Sould not the moderator of the sessioun be chosin yeerelie, of anie who has vote therin?"—"*A.* The cheefe burthein of moderatioun over the whole flocke lyes on the pastor or pastors; and becaus of the message, gift, office, and commission by the Word, which he beares, the elders and deacons must be moderated by him also.

"*Q.* 14. May the session be lawfullie elected by ministers onlie, but the consent of the whole congregation?"—"*A.* Not; for the ministers direct and moderat the electioun by the Word, and the congregatioun obeyeth and giveth their consent thereto.

"*Q.* 15. Why sould not elders and deacons of ilk particular session be elected *ad vitam?*"—"*A.* They are elected *ad vitam'* except just causes of deprivatioun interveene. But becaus the kirk-living is so sacrilegeouslie spoyled which sould susteane them, they may not everie yeere leave their occupatiouns, and attend on that office. And, therefore, of a number lawfullie elected successivelie, some releeve other, yitt all abide kirk officers. And this is of necessitie, till the kirk gett her owne living.

"*Q.* 16. How manie presbytereis are meete to be in the whole countrie; in what places; and how manie pastors of kirks in ilk presbyterie?"—"*A.* Plant the countrie weill with kirks out through, and the kirks with pastors and doctors, and this questioun will be soone solved. But if this forme of doing hold on, there will be fewer er they be moe.

"*Q.* 17. Sould not the elders and deacons of ilk particular sessioun have vote in the presbytereis, or the pastors onlie?"—"*A.* Elders also, having commission from their session, in maters of maners; lyke as also deacons, in the poore's effaires, and patrimonie of the kirk.

"*Q.* 18. What are the maters of the jurisdiction of the presbyterie, which may not be treatted in particular sessions?"—"*A.* The Booke of the Policie of the Kirk of Scotland sett doun by the Generall Assemblie, and the first act of the parliament holdin at Edinburgh, *anno* 1592, answereth heereto sufficientlie, and to manie of all thir questiouns; and, therefore, would never have beene propouned, if the old affection had remained toward the kirk.

"*Q.* 19. What forme of processe in libelling and citatioun, termes and dyett, probatioun and pronouncing of the sentence, sould be used, before the said particular session and presbytereis respective?"—"*A.* Echo, forme, summar, equitable, grave, and spirituall, as best may serve for the end of their dealing to winne soules from Satan, and his snares of sinne, to God, by true repentance, and purging and preserving of the kirk from slander, and danger of corrupt and pernicious members respective.

"*Q.* 20. What maters sould the synod treat upon, which may not be decided by presbytereis?"—"*A.* The answere to the eighteenth answeres to this.

"*Q.* 21. Sould not all who have vote in the presbytereis, and als in the particular sessiouns, have vote in the synodall assembleis?"—"*A.* The pastors, doctors, and suche as have commissioun from particular sessiouns of congregations, have vote, except in maters of doctrine, wherin onlie they that labour in the Word may vote and judge.

"*Q.* 22. Sould everie universitie, or everie colledge, or everie maister or regent within everie colledge, have vote in the presbytereis or synodall, in the touns or countreis where they are; and, siclyke, what forme of vote sould they have in the Generall Assemblie?"—"*A.* Doctors and Professors of Theologie, and ordinar instructers of the youth in the grounds of religion, sould vote. The first, becaus they are ordinar office-bearers within the kirk; the secund, being lawfullie called to be sympresbyters.

"*Q.* 23. Is it leasome to convocat the Generall Assemblie by his Majestie's license, he being *pius et Christianus magistratus?*"—"*A.* If he be *pius et Christianus*, he will alwayes allow and protect the assembleis of the office-bearers of the kirk for governing the same, who have their offices and warrant of conveening, for discharge therof, not of anie earthlie or mortall king, but of Christ Jesus, whom the Father has anointed King on his holie mountaine; and, therefore, may conveene in his name, and sould, whensoever they see the weale of the kirk, and doing of their office, to require the same.

"*Q.* 24. Is it necessar that the Generall Assemblie be ordinar, or onlie extraordinarilie conveened, for weightie causes concerning the weale of the kirk?"—"*A.* The necessitie has beene, is now, and yitt like to be, in this land so great, that both the one and the other is needfull; the ordinar, for the ordinar causes conteaned in the Booke of Discipline; the extraordinar, for preventing of dangers, *et pro re nata.*

"*Q.* 25. Have not all men of good learning and religioun vote in the Generall Assemblie?"—"*A.* None may vote but suche as have lawfull calling, viz., commissioners from synods and presbytereis. Yitt all the godlie and faithfull men may assist, heare, or speeke, in a grave, orderlie, and comelie maner, with leave asked and givin by the Moderator.

"*Q.* 26. Is ilk particular pastor obliged to repaire to the Generall Assemblie; or is it sufficient that onlie commissioners come from ilk particular sessioun, presbyterie, or synod?"—"*A.* Commissioners are sufficient for voting; but the whole faithfull, for assistance, if they please, and need be.

"*Q.* 27. Who sould choose the commissioners to come from ilk shyre to vote in the Generall Assemblie?"—"*A.* The Provinciall Synods.

"*Q.* 28. What is the number of voters necessar to the lawfulnesse of the Generall Assemblie; and how manie of the whole number sould be pastors, and how manie other men?"—"*A.* A certane of everie province, and fewer or more, as the maters to be treatted of crave.

"*Q.* 29. May anie thing be acted in the Assemblie to which his Majestie consenteth not?"—"*A.* The king sould consent to, and by his lawes approve, all that by the Word of God's Majestie is concluded in his Assembleis; but the acts therof have sufficient authoritie from Christ, who has promised, that whatsoever two or three conveened in his name sall agree upon in earth, to be ratified in the heavens; the like wherof no king nor prince has. And so the acts and constitutions of the kirk are of greater authoritie nor anie king earthlie can give; yea, even suche as sould command and over rule kings, whose greatest honour is to be members, nourish-fathers, and servants of the King, Christ Jesus, and his Spouse and Queene, the Kirk.

"*Q.* 30. Is it not expedient that the two part of them who have *jus suffragii* sould consent to anie thing decerned in ecclesiasticall judgement, that maters passe not by a vote more or lesse?"—"*A.* We have to thanke God alwayes for that spirit of unitie in judgement, which hath accompanied our Assembleis to this houre, in suche sort, that nothing of importance ever past till all were fullie resolved, and in one voice voted therunto, namelie, in the whole points of the discipline. God grant that thir questiouns and court dealing breed not contradictioun.

"*Q.* 31. Has not ilk judgement inferiour to the Generall Assemblie, a territour limited, outwith the which they have no power of citatioun or jurisdictioun?"—"*A.* They have, but in suche sort, that if other persons committ slanderous crymes within their bounds, they may proceed against them there, untill they satisfie and remove the slander from the part they have committed the crymes

into; and where citatioun is requisite, the Assemblie within whose bounds the person is resident cites him, and causes him to compeere; but, *contra hostem communem et publicum*, it is lawfull to anie member to deale.

"*Q.* 32. What is the ordinar ecclesiasticall judgement to the discipline of his Majestie's houshold and counsell, removable with his Majestie to anie part of the realme?"—"*A.* The sessioun of his Majestie's hous and presbyterie within the bounds where his Majestie makes residence for the tyme; or the presbyterie within which the slander is, or was committed, *pro ratione delecti.*

"*Q.* 33. Sould there be libelled precepts conteaning the caus of the citatioun, and certificatioun of the censures, before all ecclesiasticall judgements; or onlie to answere, *super inquirendis?*"—"*A.* They that are cited by ecclesiasticall judgements are cited commounlie for a delated or arissin commoun slander, ather by word or writt; but oftest by word, partlie for shortnesse of processe, partlie for want of the kirk-living to susteane a clerk, with certificatioun as effeirs, as the caus and *salus ecclesiæ aut personæ* sall require.

"*Q.* 34. Has the inferiour judgement power to summoun to compeere before anie superiour judgement; or sould men be summouned onlie by authoritie of that judgement before which they sould compeere?"—"*A.* Great slanders, wherewith inferiour judgements can not weill take order, will be referred to the superiour or greater judgements, and the persons guiltie charged to answere there, as having a warrant so to doe in suche causes from the superior assemblie.

"*Q.* 35. Is it not necessar that privat admonitions, with reasonable intervalls of tyme passe, before all maner of citations?"—"*A.* Where the slander is become publict, the place of privat admonitioun is past; and no citatioun before a publict judgement, before the slander break out. So the questioun is answered *negativè.*

"*Q.* 36. What intervalls of tyme are necessar betuixt everie privat admonitioun; and between the last admonitioun and the first citatioun; and betuixt the citatioun and day of compeerance before

everie one of the said judgements?"—"*A.* The officers of Christ's kingdom are men of wisdom, and equitable discretioun, occupyed in maters of cheefe importance concerning the glorie of God and salvation of his people; and, therefore, sould not be impeshed with trifling questiouns.

"*Q.* 37. How manie citatiouns sould inferre contumacie?"—"*A.* One may inferre contumacie. But the kirk, unlesse there be publict danger, useth pluralitie both of publict and personall, as best may serve for winning of the offender. The law sayeth, '*Una citatio contumaciam inducere potest, si scientia citationis apprehenderit citatum; atque ita comperiatur maliciose latitare. Hæc una pro omnibus dicitur.*'

"*Q.* 38. Is simple contumacie but probation of a cryme, or is anie cryme but contumacie sufficient caus of excommunication?"—"*A.* Conjunctlie and severallie. For the cryme may be so haynous, that for purging of the kirk, and moving of the person to a greater humiliatioun, he may be excommunicated, howbeit obedient, in short tymes, outward appearance; and being called for before the kirk, if he compeere not, nather show a just caus why, he bewrayes a pride and corruptioun of heart, testifeing him not to regard the kirk, or have anie societie therewith. And so worthilie to be declared, and publictlie to be signified, suche a one as he is indeid.

"*Q.* 39. Are there not diverse kindes of censures, suche as *prohibitio privati convictus interdictio a cœna*, not published to the people, and last of all, *publica traditio Satanæ?*"—"*A.* We have in commoun use of our kirk, as was in the ancient, but two, *Abstentos a cœna, et excommunicatos.* As for the rest of the sorts, looke our theologues' commoun places, and our answere to the Bishop of St Andrewes' appellation.

"*Q.* 40. Sould the presbytereis be judges of all things that import slander; and if so be, wherof are they not judges?"—"*A.* The presbytereis sould preasse to purge their bounds from all slander, and separat everie soule from their slanderous knowne sinne, least it slay him, and his blood be craved at their hands. And as Martyr sayes, '*Nihil est quod Dei verbum se non extendat, ac proinde, cen-*

suræ ecclesiasticæ.' And yitt, in the meane tyme, it nather considereth nor tuicheth that which the civill magistrat doeth, nor for that end. *Vide supra*, in Mr Andrew Melvill's letter writtin to the kirks of Geneva and Tigurine.

"*Q.* 41. Can excommunicatioun be used against murtherers, theeves, usurers, or not payers of their debts? And if so it may be, why are not all the border and Hieland theeves cursed; as als the manswearing merchants and ockerers[1] among the burrowes?" —"*A.* It can verie weill; but if the magistrat doe his duetie, it needs not, and if the Hieland and border kirks were planted, there would be lesse thift. Also, suche merchants are cursed indeid, and brybing Lords of Sessioun too.[2]

"*Q.* 42. Is there anie appellatioun from the inferiour to the superiour judgement; and is not the sentence suspended during the appellatioun?"—"*A.* There is appellatioun from the inferiour judgement to the superiour upon just causes, ay and whill it come to the supreme, which is the Generall Assemblie, from which there is none. And as to the sentence, if the appellatioun be admitted, it is suspended for just and reasonable causes; if not admitted, but justlie repelled, not.

"*Q.* 43. Sould not all processes and acts be extracted to parteis having interest?"—"*A. In foro poli* this may be or not, as the judges see best to be for the honour of God, weale of the kirk, and saving of the person from the danger of his sinne. And seing the ecclesiasticall judgements are not astricted alwayes to a writtin processe, for diverse reasons, they can not be bound to give an extract in writt alwayes.

"*Q.* 44. Is summar excommunicatioun lawfull in anie cace, but admonitions and citations preceeding?"—"*A.* In some caces it is, suche as of Bothwell, Spott, and the Popish erles; and wants not good warrants of reason and Scripture, with exemples of the primitive kirk.

"*Q.* 45. Have anie other nor the pastors of the kirk vote in ex-

[1] Usurers.

[2] They meant of Mr Johne Lindsey.—*Note in the original.*

communicatioun?"—"*A.* Doctors that interprete the Word, and elders that watche over maners, have vote also; howbeit, cheefelie that censure is deduced, directed, and executed by the pastors, the ordinarie ministers of the Word of Wisdom, λογον σοφιας.

"*Q.* 46. Has everie ecclesiasticall judgement alike power to excommunicat?"—"*A.* Everie ecclesiasticall judgement, weill constituted, has power to excommunicat within their bounds; howbeit, in respect of the weightinesse of that censure, it is thought good that the sessions proceed not without advice of their presbyterie.

"*Q.* 47. Is it lawfull to excommunicat suche Papists as professed never our religioun?"—"*A.* A Papist resident within our bowells, esteemed of our communioun, and under shadow therof, endangering the kirk, may, by excommunicatioun, be discovered, and made knowne for suche a one as he is.

"*Q.* 48. A woman being excommunicated, having a faithfull husband, therafter sould he absteane from her companie?"—"*A.* Excommunicatioun cutteth not off the duteis of mariage nor nature, so they be used but danger of the kirk, offence of the godlie, and stay of the medicine applyed, which is to move the person to be ashamed of his deteasted estat, and to seeke to be releeved therefra.

"*Q.* 49. Is it not reasonable, that before anie letters of horning be granted by the sessioun upon the processe of excommunicatioun, that the partie sould be summouned to heare them granted?"—"*A.* The order prescribed heeranent in the act of parliament is good and reasonable. As to the summouning, it can serve for none other end but to make the sessioun judge in the processe.

"*Q.* 50. Has not a Christian king power to annull a notorious unjust sentence of excommunication?"—"*A.* No more nor to excommunicat, or the kirk has to annull a notorious unjust sentence of horning or forfaultrie.

"*Q.* 51. May anie counsell or universitie be excommunicated? for what caus? whom by? and maner therof?"—"*A.* Some counsell or universitie may be, viz., wherof everie member, or *individuum*, and person, is slanderous, for suche crymes as, by the Word

of God, deserve excommunicatioun. And this sould be done by their ordinarie judgement ecclesiasticall, in maner sett doun, conforme to the Word of God.

"*Q.* 52. When the pastors doe not their duetie, or when one jurisdictioun usurpes above another, or anie other schisme falleth out, sould not a Christian king mend suche disorder?"—"*A.* A Christian king sould employ his authoritie for mending all disorders, as the pastors and doctors of the kirk declare by God's Word, are to be amended ordinarilie; and extraordinarilie, by an extraordinar warrant. But no king nor prince sould take upon hand mending nor reformatioun, but with the advice of the watchemen, and at the sight of the seers, who have the gift and calling to take up the just causes, conforme to the Word of God.

"*Q.* 53. May fasts, for generall causes, be proclamed by a Christian prince's command?"—"*A.* By advice of the watchemen, and at the sight of the seers, who have the gift and calling to espie the just causes of humiliatioun by the Word of God, they may.

"*Q.* 54. May anie ecclesiasticall judgement compell a man to sweare *in suam turpitudinem?*"—"*A.* A man slandered *in causa turpi*, if witnesse can not be gottin, and weightie presumptions and motives being, confirming the suspicioun of the slander, the slander can not be removed, the kirk satisfied, nor the person purged, but by the oath of the Lord interpouned, which, by the Word of God, determines all doubts and controverseis.

"*Q.* 55. Sould there anie thing be treatted in the ecclesiasticall judgement, prejudiciall to the civill jurisdictioun, or privat men's rights; and may not the civill magistrat lawfullie stay all suche proceedings?"—"*A.* None of them sould prejudge another, but both sould judge as brethrein, for the mutuall helpe and confort, according to the diversitie of the gifts and calling bestowed upon them by God, and sett doun in his Word, whereby all men's lawfull rights sall be helped, and none have occasioun to stay, but both to further and advance other mutuallie."

These questiouns, penned by Mr Johne Lindsay, Secretar, tended to the overthrow of the established discipline. And, therefore, not

onlie the Synodall of Fife, but also particular brethrein of the ministrie, being carefull to mainteane the discipline established, wherof the Kirk of Scotland had found so great fruict, sett hand to pen, and made answers to the foresaid questions; and among the rest, Mr Patrik Galloway, who would seeme somewhat in these dayes, made the answere following:—

AN ANSWERE TO THE QUESTIONS.

"1. They may.

"2. Orders ecclesiasticall, for order and comelinesse, sould be made by pastors, and authorized by princes.

"3. The approbation of pastors perteans to the flocke, and presentation to the presbyterie.

"4. The weale and profite of the kirk is the onlie caus of transportation.

"5. Application sould serve to edifie his owne flocke, furnished by exemples of judgement and mercie, practised in all ages and natiouns.

"6. The ceremonie is indifferent, if the apostolick dueteis of ordinatioun be weill observed and followed.

"7. If the sinnes be publict and offensive, they sould be publictlie rebooked.

"8. For notorious vices and incorrigible, but wiselie and spairinglie.

"9. Suche applicatioun is allowable, which ariseth of the Scripture, being rightlie expouned, and wherof the pastor challenged may give a warrant."

"10. Not all things may be gathered on all texts.

"11. Nocht.

"12. Nocht.

"13. No, but of pastors and preaching elders.

"14. Nocht.

"15. They serve *per vices*, and to helpe one another yeerelie; but none is deposed except for a cryme.

"16. The Booke of the Generall Assembleis telleth.

"17. Pastors onlie.

"18. It is defyned in the Booke of Discipline.

"19. The Booke of Discipline resolves this.

"20. The Booke of Discipline resolves this.

"21. Yes, if they come with commissioun.

"22. Yes, if they be chosin elders, or sent commissioners to Assembleis.

"23. His consent may be heard, and sould be.

"24. Once in the yeere ordinarilie; and extraordinarilie, *pro re nata.*

"25. None but commissioners.

"26. None sould come without commissioun.

"27. The Synodall Assemblie.

"28. *Melior pars et sanior.*

"29. If they be lawfullie acted, his Majestie sould not onlie consent, but authorize, and make them to be obeyed.

"30. *Vota sunt ponderanda, et non numeranda.*

"31. Yes.

"32. *Pro ratione delicti,* they sould answere to everie presbyterie where it is committed, but ordinarilie to that where their residence is.

"33. The caus sould be expressed.

"34. By the authoritie of that judgement before whom they sould compeere.

"35. Not, if the cryme be publict.

"36. According to the sitting and meeting of everie Assemblie.

"37. The prince sould not suffer controversie in his kingdom.

"38. Contumacie would be remedeid by the prince and his authoritie.

"39. There is *prohibitio a cœna* by command of the sessioun.

"40. The Booke of Discipline resolves this.

"41. Lett his Majestie doe his duetie heerin, and when they are going to execution, lett the pastors preache repentance to them.

"42. Yes.

"43. Good reason upon the reasonable expences.

"44. This is to be reasouned.

"45. None.

"46. No session, but presbytereis, Synodall and Generall Assembleis.

"47. If they have their residence in their bosome.

"48. Excommunication breakes no naturall duetie betuixt the prince and subject, man and wife.

"49. The lawes of the countrie have defyned this.

"50. Yes, but mediatlie, in a weill constituted kirk.

"51. Nocht.

"52. Yes, mediatlie and ordinarilie in a weill constituted kirk, and extraordinarilie when it is confused.

"53. Yes, with it.

"54. He may sweare to honour God in telling the truthe, and cleering himself if he have an accuser.

"55. Nocht."

ANSWERES OF ANOTHER BROTHER TO THE KING'S MAJESTIE'S QUESTIONS.

"1. Maters of religioun, and cheefe articles of faith, may be disputed, *salua fide et religione;* how muche more, then, may maters of externall policie of the kirk, if so be that men would deale with modestie and thirst of edificatioun?

"2. The word *externall* would be explicated, for Christ being Maister of his owne hous, has sett doun the rules of the regiment of his owne hous and houshold familie; which may no more be altered, than Moses might have altered the forme of the tabernacle sett doun to him, (Exod. xxv. 40.)

"3. This word Patron, and Presentation of Patronages, *est humanum institutum;* and has no warrant *ex jure divino*, and therefore imports no necessitie of consent. As to the consent of the people, no man will deny but it is necessar to be had, (Acts i. 43.)

"4. The governours of the kirk have to foresee where men

may best profite the kirk; plant and transport *ad majorem ædificationem.*

"5. The whole world is not the particular flocke of a minister; and yitt may everie minister in his doctrine exhort, admonishe, reprove, and, if St Paul may be trowed in this subject, both in seasoun and out of seasoun. The propheits of Israel denounced the judgements of God against Babylon, Ninive, Tyrus, Sidon, and all the profane people that persecuted the kirk, and disobeyed God.

"6. The admissioun of the kirk serves for impositioun of hands.

"7. Thir words, 'Notoriouslie declared vices,' are verie ambiguous, and would have some better explicatioun of their meaning. But if St Johne might say to the Scribes and Pharisees, who were in great estimatioun among the people at that present, 'Generation of vipers, who hath taught you to flee from the wrath to come?' and to Herod, 'It is not lawfull for thee to have thy brother's wife;' to Christ, to call Herod a foxe; Jeremie, the princes of Israel, 'kyne of Basan,' and infinit suche other exemples, it appeares not onlie to be lawfull, but also necessar. God has, without exceptioun of persons, arraigned all men under the law, and exeemed none from admonitiouns and correctiouns; and admonisheth everie brother meekelie, more a pastor, to be carefull to draw by verie force the wicked, whose wickednesse is burning up and consuming him to destructioun, (Jude 22, 23.)

"8. For all vices whereby God is dishonoured, and wherein men persist without repentance.

"9. *Quæstio per forte solvitur, per forte non.* If St Paul may be trowed, all appearance sould be eshewed; and whatever is defended to be done, may be reproved upon appearance to be done.

"10. The Word is the foundatioun wherupon the doctrine is builded, and all things cannot be builded upon a particular text: yitt the discreit builder, having invocated the great Maister Builder for his instructing to build, may build both gold and silver, as circumstances of tyme, place, and maner sall require, howbeit the world thinke it but straw and stubble.

"11. What is meaned by a simple pastor, I wote not: but if it

be, as I take it, a pastor alone, he may exercise all the power of his calling, in teaching, ministring the sacraments, rebooking, casting doun and raising up, by himself alone, and the ecclesiasticall policie, by sessioun of the kirk.

"12. Blind men sould not judge colours. Paul sayes, that the elder that is occupyed in the Word is worthie of double honour; signifeing, that all elders cannot teache. If then unapt to teache, unapt to judge of doctrine. And farther, he sayes, 'The spirit of the propheits is subject to the propheits,' (1 Cor. xiv. 32.)

"13. Alexander Lawson held opinioun, that he sould not ryde that cannot ryde. Manie will have vote that cannot moderat.

"14. The ministers choose not the sessioun but by consent of the people; *et qui non contradicit, consentit.*

"15. Becaus of the unsatiable greedinesse of great men that take up the patrimonie of the kirk, that skarselie can the few ministers that are planted be susteaned unbegging, lett be to susteane elders and deacons, the lamentable spectacle of so manie unplanted kirks, whereby people are no better nor Turkes, whose blood cryes for vengeance upon that sacriledge, sall some day make them cry, 'Woe with the tyme that ever we possessed that patrimonie!'

"16. Moe than can be gottin planted for sacriledge; for if all were planted, the kirk might easilie sett doun the divisioun.

"17. The pastors onlie; for the elders voting passeth not out of their owne particular sessiouns.

"18. Things that are hard for particular kirks are consulted with in presbytereis: that are hard for presbytereis in synodall assembleis: hard for synodalls to Generall. Lyke as the king's Majestie will have his ordinar counsell and convention of estats, and last of all his great parliament.

"19. Als summar as may be, for ease of the people, after the forme of the primitive kirk, wherin, I doubt not, but as God calleth men to beare office in his hous, he will also give them wisdome to doe it featliest and fruictfullest.

"20. Referre the answere heerof to the 18 and 19 questiouns.

"21. Referres to the answere of the 17 questioun.

"22. If the youth in the schooles be the seminarie of the Word, it appeares their teachers sould have vote in the Assembleis, being called thereto, cheefelie these maisters that are teachers in Divinitie. As to the forme of their vote, I wote not what is meaned by the forme, seing all voters have one forme of voting.

"23. It is leasome, and established by act of parliament, for that were perrellous to restraine the libertie of it to the prince; for howbeit we have now a Christian prince, we cannot tell what his successors will be, or how they will be affected, suppose they make externall professioun of religioun.

"24. The Generall Assembleis may be both ordinar and extraordinar, as sall seeme expedient to the governours of the kirk, for the good regiment of the same.

"25. It is not learning that makes the voting, but the lawfull calling to vote; for the king will have oft tymes wiser men without nor within the counsell. And yitt it is the counsellers, what ever they be, that resolve of counsell.

"26. Both are lawfull to be done, and the kirk resolves *quid expedit.*

"27 and 28. The presbytereis of the shyre, eache one respective within themselves, sall choose; and the discretion and wisdom of the governours of the kirk will see to both, that is necessar and expedient.

"29. God forbid that the vote or consent of one man sould prevaile and preponderat the votes of the whole kirk!

"30. The forme, order, and resolutioun accustomed to be receaved in former Assembleis and ecclesiasticall councells, sould be used; for it is to be presupposed, where manie are gathered in the name of God, that he will be among them by his Spirit, to sanctifie their doings, speciallie invocated to that end; and votes would rather be collected by the authoritie of the voters nor number of the votes; for it is oft seene, that *major pars vincit meliorem*, and is suspected presentlie to be aimed at.

"31. Otherwise there sould be a great confusioun.

"32. Presbytereis or Synodall Assembleis, where his Majestie

sall have cheefe residence for the tyme of the event to be censured; if so be, the eldership of his owne hous find it hard for them, or that it fall not under their judicatour.

"33. The forme and order in summoning and deductioun of processes, verball or by libell, assignatioun of dayes of compeerance, and termes to answere continuatiouns, or other dyets, the discreit session, presbyterie, Synodall or Generall Assembleis may use, as the circumstance of the tyme and place, and weightinesse of the caus, sall minister occasioun.

"34. Remitted to the 33, with this additioun, If the caus be in the first instance, it sould by the ordinar forme of that same judicatour: if at the secund instance, as a caus first heard in the presbyterie, and referred to the Synodall Assemblie, the partie may be cited by that presbyterie to compeere before the Synodall; and so of elderships to presbytereis, and of presbytereis to Synodalls, and of Synodalls to Generall Assembleis.

"35. Tryell, and citatioun to tryell, must necessarilie passe before all admonitiouns.

"36 and 37. The discretioun of judges will consider the qualitie of the offence, the person of the offender, place of his residence, and other circumstances, *pro re nata*.

"38. Pride did cast Lucifer out of heaven, and there can be no greater caus of excommunicatioun than a proud contumacious heart, that will not heare God's voice in his kirk; and no cryme incurres the censure of excommunicatioun but contumacie. The bosome of the kirk is alwayes opin to repenting sinners, and obedience purgeth contumacie.

"39. Of thir three, the first is the civill magistrats, wherin, alas! that they were this day solicite, and said with David, 'The zeale of thy hous hath eatin me up;' and in another place, 'With an unfained hatred have I hated them that hate thee;' wherin if they were thus solicite, the kirk would not be so muche troubled with the other two perteaning to them as they are this day.

"40. If the kirk be not judges of slander, they have no judi-

catour at all; and to affirme they have none, I affirme to be blasphemie.

"41. The end of excommunicatioun is not to destroy, but to winne and bring them to Christ, for saving of soules in the day of his appearing. Therefore, who ever of what estat, ranke, or degree so ever they be, that transgresse anie of the rules of the Decalogue, and rebelliouslie persist therin, repugning against the voice of the kirk, may be, ought, and sould be admonished and rebooked; and if he conforme not himself to the voice of the kirk, excommunicated, and givin to the devill.

"42. It is without all peradventure, that appellatiouns are and sould be in the kirk; and a sentence givin must stand and have executioun, till the lawfull superiour judge appealed to decerne the contrare.

"43. Manie processes are summar and verball, and have no acts but suche as are upon a libell, wherin judiciall acts ought to be extant to parteis having interesse.

"44. Seeke the resolutioun of this questioun at the conventioun where Bothwell and Spott were summarlie excommunicated. But for my self, for the present, *non liquet.*

"45. If pastors be tane for ministers, elders, and deacons, I say no otherwise; if for ministers onlie, compting a minister alone, I say, elders and deacons sould have vote with them.

"46. Though one be in greater reverence, or have greater majestie nor another, by occasioun of grave and learned men, yitt is jurisdictioun and authoritie in all alyke; and one eldership is not subalternat to another, nather is presbyterie or synodall to another.

"47. This is resolved in a Generall Assemblie, affirming it to be leasome.

"48. Sanct Paul and Peter resolve this questioun, saying, it is not leasome if the unbeleeving woman list to remaine with him, for the beleeving and obedient person sanctifies the unbeleeving and disobedient, (1 Cor. vii. 14; 1 Pet. iii.) If, then, they may not sivver for unbeleefe, muche lesse for excommunicatioun.

"49. It is both against reasoun and the act of parliament, but letters sould be granted upon the sight of the sentence onlie.

"50. If he had power to annull the sentence of excommunicatioun, he had power also to excommunicat; for to annull the sentence is more than to excommunicat. Nather may a king judge of the notorietie of the unjustnesse of a sentence of excommunicatioun, more nor might Uzzah handle the arke, or Uzziah offer sacrifice in the temple. And if kings will presume to that judicatour, lett them looke for the like rewaird.

"51. A counsell or universitie committing crymes that deserve excommunicatioun, and persisting rebelliouslie therin, against the kirk's admonitiouns, may be excommunicated, even after the same order and forme of particular men.

"52. Schismes, als weill as errours and hereseis in the kirk, or usurping priviledges one above another, are properlie judged and cognosced by the kirk; and if anie be refractorie, the king may and sould punish.

"53. No doubt he may, and we pray God he were solicite to doe it. And yitt is this libertie not so his, that the kirk may not doe it.

"54. Not, except it be in maters of religioun and faith. And this custome is keeped this day in the kirk.

"55. This questioun is verie obscure in thir words, 'Prejudiciall to the civill jurisdiction and privat men's rights,' that hardlie can the right sense of the questioun be tane up; for the kirk medleth not with the cognoscing of anie man's right, but with God's right in man's obedience to him. The civill judicatour has the owne subject, judges, forme, and end, and not to be usurped by ecclesiasticall: as also, the ecclesiasticall theirs, which may no way be usurped nor troubled by the civill; nather may one of them encroache themselves upon other's bounds. If this questioun were cleere in the meaning, there might be muche more spokin in this subject."

I have thought good to sett doun these answeres, howbeit they be but onlie the answeres of a synod, and some particular per-

sons, and not of the Generall Assemblie, becaus they were not all discussed in the Generall Assemblie at anie tyme, as was intended, but onlie some few selected and agitated in the meeting holdin at Perth, in Februar following.

THE MEETING AT PERTH ALLOWED TO BE AN EXTRAORDINAR ASSEMBLIE.

The brethrein of the ministrie conveened at Perth the last of Februar, according to the king's appointment. The ministers of the North conveened in suche numbers as were not wount to be seene at anie tyme before, and everie one of them great courteours. Ministers were seene lett in at night, and betymes in the morning. Sir Patrik Murrey, brother to the Laird of Balvaird, the diligent Apostle of the North, made all the northland ministers acquaintance with the king. In end, beganne they forsuith to looke big on the mater, and found fault with the ministers of the South, and the Pops of Edinburgh, that they had not handled maters weill, and almost losed the king. The sincerer sort of the ministrie was greeved at the heart at suche speeches, and followed the directioun of their instructiouns both privatlie and publictlie, in suche sort, that the holding of an Assemblie was putt off for three dayes. At last, Mr James Nicolsone was brought in to the king by Sir Patrik Murrey, and conferred with him till midnight. When he came to his bed, he told his bed-fellow, Mr James Melvill, what long conference he had with the king; how the king's speeches were mixed with threats and flatterie. "I perceave," said he, "the king will not faile to wracke himself and the kirk both, unlesse our maters be better looked unto, and that we yeeld so farre as we may of conscience, rather than that we lose all." Mr James Melvill perceaving him to be farre changed, answered, he could see no better resolutioun, than as they had done in former straits, to seeke God by prayer, and discharge their dueteis faithfullie, leaving the event to God, to whom the caus belongeth. As for himself, he sould never, by the grace of God, yeeld to anie thing which was contrare to that

wherof we had sufficient warrant in God's Word, and so long possessioun, with suche confortable fruict. For to passe at suche a tyme as this from the least point would shake us loose, disarme us of the trust we have in the equitie of our caus, and unitie, whereby we have stood so strong to that houre. Sir Patrik Murrey was sent the day following, to command all that were sent to this meeting, to resolve ather to hold an Assemblie or not. The questioun being propounded, Mr Peter Blekburne tooke the defence of the affirmative, being indeid of that minde; Mr James Melvill of the negative. The brethrein inclynned to Mr James Melvill's opinioun. But Mr James Nicolsone suppleing the wants of the other reasouner with some perswasive speeches, and the king joyning his authoritie, a great number yeelded. When the mater was putt in voting, the ministers of Angus and the North sweyed muche. Eight presbytereis refused to allow that meeting for an Assemblie: ellevin approved it, under the name of EXTRAORDINAR. The commissioners of the presbytereis of Fife made a plaine protestatioun of their disassenting from all that forme of proceeding, and whatsoever sould be done in that pretended Assemblie. Mr James Melvill, fearing a dangerous course of defectioun, not without caus, and understanding that diverse were directed from the king to deale with him, and bring him to him, withdrew himself secreitlie. Mr Andrew Melvill was absent, becaus the choice of the rector of the Universitie of St Andrewes fell furth at that tyme. It appeareth that this tyme was appointed purposelie for this meeting to eshew him.

The day following, after it was concluded that this meeting of the ministrie sould be holdin an extraordinar Generall Assemblie, the king willed them to repaire to the place where he and his estats were presentlie conveened, that they might conferre with them upon some articles. At his desire, they resorted to the Counsel-hous. After he had discoursed upon suche things as sould be propouned, before they entered to reasouning, they protested in maner as followeth:—

A PROTESTATION.

"Forasmuche as we are come hither to testifie to your Majestie our obedience, and to heare what sall be propouned to us by your Hienesse, in all reverence we protest, that this our meeting be not esteemed, as though we made our selves an Assemblie with the estats, or yitt doe submitt anie mater ecclesiastick, ather concerning doctrine or discipline, to this judicatour. But after that we have conferred and reasouned with your Majestie anent the articles propouned to us, we must returne to the ordinar place of our Assemblie, there to reasoun, vote, and resolve in all the points, according to the Word of God and good conscience. And this our protestatioun we most humblie desire may be admitted, and insert in your Majestie's bookes of counsell, for eshewing of inconveniences that heerafter may arise."

THE PROCEEDINGS OF THIS ASSEMBLIE.

The brethrein of the ministrie refused to putt anie of the heeds of discipline in questioun and doubt. The king would needs have reasouning, and made provocatioun. Mr Thomas Buchanan answered, "We distrust not our caus, for want of reasons to solve anie doubt, so they be propouned in a loving and weill-willing maner. But we perceave, that the purpose is onlie to tosse our maters heere a while, that therafter men of little skill and lesse conscience may decerne in them as they please." After diverse pertinent protestatiouns, he entered in reasouning, and reasouned solidelie, and, after his maner, sometimes sarcasticklie. He gave them their fill of reasoning, and at that tyme acted the part of a faithfull man, howbeit, afterward, he proved false eneugh, when he saw the king headstrong in the course, and some hope of preferment. Their protestatiouns were ratified by the king, and after long reasoning upon the articles, they were dimitted. This their protestatioun

and reasoning, is referred, in the register of the acts of the Assemblie, to the fourth sessioun.

In the first sessioun, it is recorded that Mr Thomas Nicolsone, advocat, was chosin clerk in place of Mr James Richie, which is false; for he was not admitted till the Assemblie following, at Aberdeen.

It is recorded in the secund sessioun, that Sir Johne Cockeburne of Ormistoun, knight, Justice-Clerk, and Mr Edward Bruce, Commendatar of Kinlosse, were directed to the commissioners of the presbytereis conveened in the kirk, to enquire of them, if they be a lawfull Generall Assemblie, and have sufficient power of themselves to give answere, treate, and conclude, upon suche things as were to be propouned, according to his Majestie's warrant and missive letter directed to them; and, after long reasoning, it was concluded that it was a lawfull extraordinar Generall Assemblie, by reason of the king's letter directed to the presbytereis and provinciall synods to that effect, and commissioun givin by the presbytereis and provinciall synods; and that they were willing to heare what his Majestie sould propone, and to treate, conclude, and give answere, conforme to the commissiouns wherewith they were authorised by the presbytereis and synods.

In the thrid sessioun, the king's commissioners proponed the heeds and articles which were to be reasoned upon. Mr Johne Monro, Mr Alexander Dowglas, Mr Peter Blekburne, Mr Johne Strathauchane, Mr Alexander Forbesse, Mr James Nicolsone, Mr Andrew Lamb, Mr Alexander Lindsay, Mr William Cowper, Mr Thomas Buchanan, Mr James Melville, Mr Johne Spotswod, Mr Adam Colt, Mr Thomas Torie, Mr Andrew Clayhills, Mr Johne Knox, Mr James Brysone, Mr Patrik Scharpe, Mr Gawin Hammiltoun, Mr Alexander Scrimgeour, Mr David Barclay, were appointed to conferre upon the said articles, and to report their overture and advice to the Assemblie.

In the fourth sessioun, the Assemblie was desired to repaire to the place where the king and states were conveened, to con-

ferre upon the same articles; which they did after protestatioun, as said is.

In the sixt sessioun, the answeres to the articles are sett doun, but different from the answeres conceaved by the brethrein appointed to conferre and devise upon answeres, which were approved by the Assemblie, but after, through pretended haste, were altered.

THE KING'S ARTICLES.

"Since the quietnesse of the kirk, and freing the same of slander, which upon the contrare effects would necessarilie follow, is the cheefe butt and end wherat his Majestie shutteth, in the conveening and holding this present Assemblie; therefore, for eshewing of fasheous and longsome disputatiouns, wherupon diverse uncomelie controverseis and debates might arise, his Majestie has thought good to remitt the decisioun of a great number of the pretended questiouns to a better opportunitie, to be reasonned in the meane tyme by suche as sall be authorised by commissioun to that effect; and for the present sall content himself with the decisioun of thir few articles following, having made choice of none but suche as necessitie of tyme could not permitt to be delayed, without a greater harme and slander to follow.

"1. That it be not thought unlawfull, nather to the prince nor anie other of the pastors, at anie time heerafter, to move doubts, reasoun, or crave reformatioun in anie points of the externall policie and governement or discipline of the kirk, that are not especiallie concerning salvatioun, or are not answered *affirmativè vel negativè* by anie expresse part of the Scripture, providing it be done *decenter*, in right tyme and place, *animo ædificandi, non tentandi.*

"2. That since the civill and publict governement of the countrie belongeth allanerlie to the king's office and his counsellers, and is no wise pertinent to the spirituall ministrie of the Word, that no minister sall heerafter meddle with anie matters of estate in the pulpit, or with anie of his Majestie's lawes, statutes, or ordinances;

but if anie of the ministrie sall think anie of them hurtfull to the religioun, or contrarie to the Word, they sall privatlie compleane therupon to the king, or his counsell.

"3. That it sall not be lawfull to the pastors to name anie particular men's names in the pulpit, or so vivelie to describe them, as may be equivalent with their naming, except upon the notorietie of a cryme; which notorietie must onlie be defynned by the guiltie persons being fugitive for the tyme, or being fyled by an assise, or excommunicated for the same.

"4. That everie minister, in his particular applicatioun, sall have onlie respect to the edificatioun of his owne flocke and present auditor, without expatiating upon other discourses no wise pertinent for that congregatioun.

"5. That everie particular presbyterie sall be commanded to take diligent compt of their pastor's doctrine, and that he keepe himself within the bounds of the premisses.

"6. That summar excommunicatioun be alluterlie discharged as inept; and that three lawfull citations, at least of eight dayes' intervall betuixt everie one of them, preceed the sentence.

"7. That no sessioun, presbyterie, nor synodall, use their censures upon anie but these that are resident within the bounds committed to them, otherwise their decreits and sentences to be null.

"8. That all summouns conteane a speciall caus and cryme, and none *super inquirendis* to be summouned, *quod est mere tyrannicum.*

"9. That no meeting or conventioun be among the pastors without his Majestie's knowledge and consent, excepting alwise the ordinarie sessiouns, presbytereis, and synods.

"10. That in all the principall touns ministers be not chosin without the consent of their owne flockes and of his Majestie, and that order to beginne presentlie in the planting of Edinburgh.

"11. That all maters concerning the rest of his Majestie's questiouns be suspended, unmedled with, ather in pulpit or anie other judicatours, whill first all his Hienesse' questiouns be fullie decided; and, in speciall, that all maters importing slander come

not in before them in the meane tyme, wherin his Majestie's authoritie royall is highlie prejudged, but onlie in causes that are mere ecclesiastick.

"12. That seven or eight of discreit wise ministers be authorised by commissioun, to reason upon the rest of the questiouns, as opportunitie of tyme sall serve.

"13. That they give commissioun to the ministrie of the North to be at a point with Huntlie, and, incace he satisfie them, to absolve him."

ANSWERES TO THE ARTICLES BY THE BRETHREIN APPOINTED ON THE CONFERENCE.

"1. The brethrein conveened give their advice in the first article, that it is not expedient to make a law or act tuiching this, least a doore sould be opened to curious and turbulent spirits; otherwise, they thinke it lawfull to the king, by himself or his commissioners, to propone in a Generall Assemblie whatsomever points he desireth to be resolved of, or to be reformed, *in specie externi ordinis*, seing *substantia externæ administrationis ecclesiasticæ, is plenissime tradita in sacris literis.* And as the Generall Assemblie may accept of this from the king, so may the Generall Assemblie doe anent anie thing that is done by his Hienesse in anie conventioun, meeting, or assemblie, conveened by him heerafter.

"2. Their advice to the secund article is, that lawes alreadie made, hurtfull to religioun, or prejudiciall to the libertie of the Word, be declared to be expired, as the same sall be particularlie condescended upon; and no law be made heerafter tuiching religioun, without advice and consent of the kirk, who are declared to be the thrid estat of the countrie; and that no act whatsomever be made contrare to the Word, the preaching wherof the ministers have concredited to them. Which if it sall fall out, as God forbid, they thinke that everie pastor, by advice of his presbyterie, Synodall, or Generall Assemblie, sould first compleane and seeke remedie of the same; which remedie not being gottin, they sould

direct the force of the Word against the same, with all libertie. And as concerning maters of estat, the brethrein desire the explaining of this point of the article.

"3. No man's name sould be expressed to his rebooke in pulpit, but where the fault is notorious publict; yitt they esteeme notorietie must be defyned otherwise than by being fugitive, fylled by assise, or excommunicated; for contumacie after citatioun, publict commissioun of murther, adulterie, or suche lyke, as was Bothwell's comming to the Abbey, the murther of Dunnybrissell, and manie other of that sort makes notorietie. As also, when the fact is so evident, that the notorietie therof may be made out before the judge ordinar. As to the vive descriptioun equivalent to the naming, it is hard to sett a law thereto, seing a guiltie person will apply to himself, howbeit the preacher never thought on him.

"4. No pastor sould use applicatioun wherin he has not respect to the edificatioun of his owne flocke, and the present auditor.

"5. It is the duetie of everie presbyterie to take a compt of everie pastor's doctrine, that he keepe himself within the bounds of the Word of God.

"6. In the Generall Assemblie holdin at Montrose, it was ordeaned that everie presbyterie sould seeke out the warrants of summar excommunication, *pro et contra*, and produce the same, to be considered in the nixt Generall Assemblie, and that decisioun might be taikin therin conforme to the Word of God. And seing the commissioners from presbytereis at this present have not brought with them the said reasouns, it is best to leave this mater to the ordinar Generall Assemblie; in the meane tyme, the act of Montrose to be keeped.

"7. The Generall Assemblie has appointed everie offender to be censured in the place where he offendeth, which they cannot go by, *nisi in causa communi.*

"8. *Fiat.*

"9. This article is against the meeting of pastors necessar, as visitatioun of kirks, admissioun of ministers, concurrence of brethrein in most lawfull earand, as in taiking up of feeds, resolving of

questiouns, and suche lyke. Therefore, beside their sessiouns, presbytereis, and synods, provinciall and generall, the brethrein thinke all meetings for discharge of their office ought to be allowed.

"10. This article is answered by an act of the Generall Assemblie, which statuteth, that the principall touns sall be planted with ministers, by advice of the Generall Assemblie, at the which his Hienesse' commissioners are and sould be present.

"11. This article importeth a discharge of manie points of our discipline, so as it cannot be presentlie answered."

They gave their advice by word to the 12 and 13 articles.

The answeres as they were altered, and are extant, registred in this sixt sessioun, heere follow :—

Sessioun 6.

"Tuiching the articles propouned by his Majestie, to be resolved and answered by the Generall Assemblie, the brethrein, after long conference and mature deliberatioun, conclude and answere to the same, in maner as after followeth :—

"1. That it is lawfull to his Majestie, by himself or his Hienesse' commissioners, or to the pastors, to propone in a Generall Assemblie whatsomever point his Majestie or they desire to be resolved, or to be reformed, in maters of externall governement, alterable according to circumstances, providing it be done in right tyme and place, *animo ædificandi, non tentandi.*

"2. The Assemblie ordeans that no minister sall reprove his Majestie's lawes, statuts, acts, and ordinances, untill the tyme that first he, by advice of his presbyterie, synodall, or Generall Assembleis, compleane and seeke remedie of the same from his Majestie, and report his Majestie's answere before anie farther proceeding.

"3. No man's name sould be expressed to his rebooke in pulpit, except the fault be notorious and publict; which notorietie is defynned, if the person be fugitive, convicted by an assise, excommunicated, contumax, after citatioun or lawfull admonitioun; nor

yitt sould anie man be described vivelie, by anie other circumstances except publict vices, alwayes damnable.

"4. The brethrein find that no persoun sould use applicatioun, wherin he has not a cheefe respect to the edifeing of his owne flocke and present auditors.

"5. The Assemblie ordeans everie presbyterie to take diligent accompt of the pastor's doctrine, and that he keepe himself within the bounds of the Word.

"6. The Assemblie superseeds to answere the sixt article till the next Generall Assemblie; and, in the meane tyme, suspendeth all summar excommunicatioun whill the said Assemblie.

"7. The seventh is likewise referred to the nixt Assemblie.

"8. Ordeans all summouns to conteane a speciall caus and cryme, and that none be summouned *super inquirendis.*

"9. No conventiouns sould be among the pastors without his Majestie's knowledge and consent, except alwise their sessions, presbytereis, and synods, their meetings in visitatiouns of kirks, admissioun and deprivatioun of ministers, taking up of feads, and suche others as have not beene found fault with by his Majestie.

"10. In all principall touns ministers sould not be chosin without the consent of their owne flocke and his Majestie.

"11. All maters concerning his Majestie's questiouns remanent sall be suspended, not damned or rebooked, ather in pulpit or others their judicatours, whill first all his Hienesse' questiouns be decided in the nixt Generall Assemblie; and, in speciall, no maters importing slander sall come in before them in the meane tyme, wherin his Majestie's authoritie royall is highly prejudged, excepting onlie ecclesiasticall causes.

"12. The Assemblie hath chosin and appointed certane brethrein, with commissioun to treate upon the said questiouns, and report their advice and opinioun to the nixt Generall Assemblie, referring the tyme and place of conveening to his Majestie. The brethrein appointed to that effect, as followes: Mrs James Nicolsone, Johne Caldcleuche, Andrew Clayhills, David Lindsey, Thomas Buchanan, James Melvill, Robert Wilkie, William

Cowper, Johne Cowper, James Brysone, Robert Rollock, Patrik Galloway, Johne Duncansone, Robert Howie.

COMMISSION TO TRY THE POPISH LORDS.

"13. The Assemblie giveth commissioun to the ministers of the Presbyterie of Murrey and Aberdeene to insist in conference with the Erle of Huntlie; and to that effect appointeth Mrs Andrew Mylne, Andrew Lamb, Andrew Leitche, George Gladestanes, and Johne Ramsay, to concurre and assist with them; and ordeans them to report their answeres to the conditiouns and articles givin them in commissioun for tryell of the said erles."

THE ARTICLES FOR TRYING OF THE ERLE OF HUNTLIE.

Sessioun 7.

"1. That the said erle, from the day of his compeerance before the said commissioners, sall make his constant and ordinarie residence in Aberdeen, that he may be instructed, by hearing the Word, and ordinarie conference, during the tyme appointed for the same.

"2. That he be weill informed with knowledge, to condescend in the principall grounds of religioun *affirmativè*, and the untruthe of the errours contrare to the same; and that he be able to give a reason of his knowledge in some measure.

"3. That he be brought to a plaine acknowledging of the kirk within this countrie, and professe himself adjoynned to the same, as an obedient member therof; and be content to heare the Word, participat the sacraments, and obey the discipline of the kirk, as the same is presentlie avowed by the king's Majestie and estats.

"4. That he solemnelie promise, by word and writtin band, to remove out of his companie, and whole bounds under his power, Jesuits, preests, and excommunicated persons.

"5. That he agree to sweare and subscribe the Confessioun of Faith in presence of the whole commissioners.

"6. That he agree to satisfie in the kirk of Aberdeen, in most humble maner, for his apostasie; and there renew the foresaid promises and bands in most solemne maner.

"7. Tuiching the slaughter of the Erle of Murrey, that he declare his greefe and repentance for the same, and promise to make an assithement to the partie, when the same may be convenientlie accepted of; and utter his foresaid repentance and greefe therin, at the tyme of his publict satisfactioun foresaid.

"8. Forasmuche as, by occasioun of service done to his Majestie, in persuing the said erle by force and otherwise, sindrie in these parts have incurred his displeasure and deidlie fead, that he be content to remove all these occasiouns, with suche convenient diligence as the said commissioners sall thinke expedient.

"9. For declaratioun of his effald adjoyning with us, that he be content, at their sights, and advice of his best disposed freinds, to provide sufficient stipends for his kirks.

"10. That he sall acknowledge his faults wherefore he was justlie excommunicated, and especiallie the burning of Dinnybrissell, and his apostasie.

"11. That he sall have an ordinar minister continuallie resident in his owne hous.

"With power to them to conveene the 22d day of Marche instant, or sooner, if they can possiblie; and to conferre with the Erle of Huntlie, and resolve him in the articles foresaid; and to report his minde and resolutioun anent the same at the nixt Generall Assemblie, to be holdin at Dundie, the tenth day of May nixtocome."

In the same sessioun, Dame Elizabeth Oliphant, Countesse of Angus, requeisted that certan of the wisest of the ministrie might be appointed to conferre with her husband, and to resolve him of the doubts which stayed him from embracing the religioun publictlie professed within this realme, alledging that diverse sutes had beene made before by her, and others her freinds, but had taikin no effect. The As-

semblie ordeanned the ministrie of Angus and Mernes (becaus there the erle made residence, and that was her desire) to conferre with him upon his doubts, and speciallie upon the articles above writtin, wherupon the Erle of Huntlie was to be tryed, suche onlie as concerned the Erle of Murreye's slaughter being excepted, and to report his resolutioun to the nixt Assemblie.

THE OFFERS OF FRANCIS, SOMETYME ERLE OF ERROLL.

"First, I offer to abide anie just tryell of the alledged traffiquing against the religioun presentlie professed within this countrie, during my absence off the countrie, and to make all sufficient purgation to your Wisdoms for the same.

"Further, I offer all possible securitie and cautioun in all tymes comming, never to traffique against the said religioun, and that nather the said religioun nor discipline therof sall be anie wise hindered by me, but have the ordinar course in my bounds, as in other parts of the countrie.

"And to declare my willingnesse to be resolved in the said religioun, I am content to accept conference therin, and require the same at your Wisdoms, who have the power, that yee will appoint one or moe of your number indifferentlie, as they sall be required of me in the parts where I presentlie dwell; and have the leasure and occasioun to resort where I sall happin to be, to conferre with me upon the whole controverted heeds, that I may have instructioun. And if I sall be thereby moved, that the whole number of that synod where my residence is will take the paines to conveene, and meete me at some competent place, to heare and testifie of me.

"During which tyme of conference I sall no wise recept anie Jesuit, Seminarie preest, or excommunicated person.

"And if it sall happin that I be resolved in the heeds of controversie, I sall unfainedlie from my heart embrace the said religioun, and make publict professioun therof in tyme comming, and sall make satisfactioun for my defectioun from the same, as sall be injoynned.

"Lastlie, desires to be absolved, or at least suspended, from the sentence of excommunicatioun, during the tyme of conference, so that none of my freinds that resort to me, and may be steadable to me by their counsell, ather in the said conference, or other my leasome effaires, be troubled by your censure therefore, but may have your licence to have accesse to me, and I to them, in whatsomever part of the countrie I sall resort; lyke as I have obteaned his Majestie's licence and charge to your Wisdoms, to give me conference, which it may please you receave and doe accordinglie, as yee would give me argument of your good intentioun towards my conversioun, wherof I doubt not.

"And for performance of the premisses sall find cautioun and sovertie."

The Assemblie ordeanned the ministers of Murrey and Aberdeen, with the five ministers adjoynned to them for conferring with the Erle of Huntlie, to conferre likewise with the Erle of Erroll, and to report his resolutioun concerning the articles conceaved for trying the Erle of Huntlie, except suche as concerne the slaughter of the Erle of Murrey. Farther, the Assemblie ordeanned these commissiouns granted for conference with the Erles Huntlie, Angus, and Erroll, to be extended to the Lairds of Newton and Bonnytoun, incace they offer to satisfie the kirk. Farther, if anie of the said excommunicated persons sall happin to repaire to anie other part within the realme, the Assemblie gave power to the presbytereis where they sall chance to resort, to treate and conferre with them upon the heeds and articles abovewrittin.

PETITIONS OF THE MINISTERS PRESENTLIE CONVEENED, TO BE PRESENTED TO HIS MAJESTIE.

"1. It is humblie craved by this present Assemblie, that your Majestie, with advice of the estats presentlie convcened, considering how it has pleased God to give a good successe to this present conventioun, and that all things concluded heerin tend to the peace and quietnesse of the whole estat of this countrie, and the disap-

pointing of the expectatioun of the adversareis, will, with advice foresaid, publishe, by opin proclamatioun, the good successe of this present conventioun, together with a declaratioun of your Majestie's intentioun, uttered by you at this tyme, in presence of your estats, declaring your good will to mainteane the true religioun presentlie professed within your countrie, with the discipline adjoynned thereto, and the ministers to whom the charge of the same is committed; and to declare that your Majestie's will is, that whatsoever law, act, or proclamatioun, has beene made prejudiciall to the same, sall be esteemed contrare to your Majestie's meaning, and sall have no force nor effect in tyme heerafter; and that none of your subjects pretend, by anie colour therof, to molest or trouble anie of the said ministers, but that they be under your Majestie's protectioun, and that yee will esteeme the controveeners troublers of your estat, and punish them accordinglie.

"2. That all Papists, Jesuits, and excommunicats, remaining within this countrie, be charged to passe off the same, betuixt and the first of May nixtocum, or ellis to satisfie the kirk; and if they doe not the same before the day appointed, that shireffs in shires, proveists and bailliffes in touns, be commanded to apprehend and present them to his Majestie or counsell, to be punished according to the law. And if they be negligent in apprehending them, that commissioun be givin to certane most zealous and willing persons to doe the same.

"3. That it may please your Majestie, according to your accustomed clemencie, to relaxe presentlie the ministers of Edinburgh from the horne, and suffer them peaceablie to returne and remaine within this countrie; as also, to releeve and sett at freedom suche gentle men, professors of religion, as are now under challenge, seing your Majestie knowes that the love to religion moved them to these things wherewith they are burthened.

"4. That seing Edinburgh has that honour to be the cheefe burgh of this countrie, and that place wherin religioun from the beginning has beene most floorishing, and now are both destituted of their owne ministers, and siclyke called from tyme to tyme be-

fore your Majestie, which is no small greefe to their hearts, in respect your Majestie knoweth that the greatest part of the whole toun are most willing to give your Majestie all obedience, and hazard life and substance for your Majestie's standing, that it may please your Majestie favourablie to deale with them, according to your accustomed gentlenesse; that it may appeare your Majestie is more inclynned to shew favour to men that meane uprightlie to your Hienesse nor to Papists. We are moved to crave the same, that all your subjects may see a generall agreement.

"5. That it may please your Majestie, seing Mr David Blacke has obeyed suche things as were injoyned to him, to give him libertie to returne unto his flocke; and siclyke to Mr Johne Welshe and Mr Johne Howesone.

"6. Becaus diverse complaints of hurting and mutilating ministers are givin in before us, and namelie, * * * * * we most humblie crave, that your Majestie would take some substantiall order for punishing the offenders, in exemple of all others heerafter.

"7. That provision be made for planting of kirks, and that the augmentatiouns and planting of new kirks, made *in anno* 1595, be allowed."

THE KING'S MAJESTIE'S ANSWERES TO THE FORESAID PETITIONS AND ARTICLES.

"The first article is granted in substance.

"The secund is granted.

"As to the thrid, and first part therof, concerning the ministers of Edinburgh, they are ordeanned to be relaxed, upon cautioun to be found by them to the Justice-Clerk, that they sall underly the law. As to the gentlemen for whom the Assemblie makes requeist, the king's Majestie thinkes it good that they, by the mediation of their freinds, be suters for themselves.

"As to the fourth, tuiching the toun of Edinburgh, his Majestie

will no wise trouble innocent men, but suche onlie as are guiltie, and mindes shortlie to be at a point with them.

"Tuiching the invasioun of ministers, a commissioun is ordeanned to be directed for calling and punishing of the offenders.

"Concerning the last article, the king's Majestie ordeans the Treasurer, Mr James Elphinstoun, the Clerk of Register, Mr Johne Prestoun, and Mr Edward Bruce, to take order als weill for planting of kirks, as with the augmentatiouns which were granted *in anno* 1595."

THE NULLITIES OF THE PERTH CONVENTION.

This Assemblie, and consequentlie all that followeth therefra, or followed therupon, was esteemed, of the best and most godlie, to be null in the self, and of no force nor effect, for manifold reasouns.

1. Becaus it was convocated unlawfullie, that is, against the lawes of the countrie, ordeanning the Generall Assembleis to be appointed by themselves, with advice of the king or his commissioners. But so it is, that this was convocated by the king, against the advice of the kirk, to prejudge the ordinar appointed Generall Assemblie in St Andrewes.

2. Becaus it was not to edifie, but to demolishe the discipline established, as was evident by the printed questiouns, casting in doubt the whole discipline thereby; at least, to gaine some advantage against the same.

3. Becaus it was not fenced nor sanctified by the Word of God and prayer, conceaved and done by the mouth of the last moderator, Mr Robert Pont, according to the order observed in all Generall Assembleis since the first beginning.

4. Becaus there was no moderator chosin; but one suborned by court, Mr David Lindsey, intrused himself; wherof proceeded confusioun and unaccustomed immoderat behaviour.

5. Becaus the ordinar scribe being since the last Assemblie departed this life, there was no scribe chosin, sworne, nor admitted.

6. Becaus almost halfe of the commissioners from presbytereis,

according to their commissioun, disassented therefra, and protested against it.

7. Becaus it was after foure dayes' delay, by flatterie and boast of court, by a few votes moe, skarselie at least, throwne out, and named an *extraordinar Assemblie*, as it was indeid.

8. Becaus when it was sett doun for an Assemblie, there was nather holie, grave, nor orderlie proceeding therin.

9. Becaus there was no cleere proponing of maters, but convoyed and dressed for the purpose.

10. There was no article gravelie reasouned therin, na, no wise reasouned.

11. There was none voted.

12. There was none concluded. There were indeid named a certane brethrein of everie province, to heare his Majestie's articles, and give their advice to the Assemblie, the which being heard in opin and full meeting, were weill liked of and approved.

13. But the same therafter were upon post haste altered, eeked, and paired, and most confuselie parbuilyeid; and, notwithstanding the disassenting and protesting of diverse brethrein against the same, yitt, without reasoning and voting, were, by the mouth and penne of an unchosin moderator and clerk, concluded and putt out in writt. And so it was of the great mercie of God that no more evill was done there; and that the evill which was done, was done in suche a sort, as it may for these manifold nulliteis be justlie esteemed as undone.

THE COURTEOURS SOW DISSENSION AMONG THE MINISTERS.

Great paines and policie was used by courteours to rent the ministers in contrarie factions. They compleaned to the ministers of the North of the indiscretioun, severe and rough cariage, the pride and arrogancie of the ministers of the South usurping the whole governement of the kirk, commending them as men of better dispositioun and discretioun; with whom his Majestie being acquainted, they sould see that in short tyme all maters sould be brought to a

good point. The cheefe of these were imployed to deale with the rest that were sent out of the North in favour of the excommunicated erles, who sought to be reconciled again to the church. The greatest part of the ministrie, partlie terrified with threatnings, partlie allured by faire promises, to restore the ministers of Edinburgh, and to compose all maters, were enduced to inclyne to the court. But the best sort perceaved cleerelie the overthrow of the discipline of the kirk, and, therefore, would no wise consent that that meeting sould have the power or strenth of a Generall Assemblie, or enter in reasouning upon the questiouns, but referred all to the ordinarie Assemblie, which was appointed to be holdin in Aprile.

THE TOUN OF EDINBURGH RECONCILED.

The bailliffes, some of the counsell, and some other citicens of the toun of Edinburgh, came to Perth about the end of Februar, to underly tryell for the uproare raised the 17th day of December. They remained in Perth from the 28th of Februar till the 7th of Marche. The king would have had them comming in his will. They refused, and offered to abyde tryell. Upon the first of Marche, compeered two Bailliffes, the Deane of Gild, the Treasurer, foure of the counsell, foure of the deacons, the Toun-Clerk, and his deput, William Stewart. Becaus William Mould, one of the bailliffes, compeered not with the rest before the king and counsell, it was ordeanned, that the proveist, bailliffes, and toun of Edinburgh, sould be putt to the horne; lykeas they were putt to the horne the tenth of Marche. Mr Johne Lindsey devised this trick, that William Mould sould be absent, with whom he laboured to that effect, that the toun might be brought within compasse of some law and danger. When the king came to the Palace of Halyrudhous, the magistrats and counsell of the toun went to the king; avowed still they had committed no treasoun, howbeit they had offended in the neglect of some points of their office, for which neglect they would come in his will. They went again upon the 20th of Marche, and recompted to him what service they had done

him in former tymes, and how readie they were still to serve him. The king being somwhat moved, desired them to come in his will, not for treasoun, but for three other faults: First, For not discharging their duetie upon the 17th day of December, in apprehending the authors of the tumult, committing them to waird: 2. For not committing Mr James Balfour to waird when he was in their hands: 3. Because William Mould, bailliffe, compeered not at Perth with the rest that were summouned in name of the toun. They tooke to advisement. Upon Tuisday, the 22d of Marche, the magistrats, and a great number of the citicens, went doun to the Abbey before noone; confessed upon their knees they had offended his Majestie in these three points, and offered unto him twentie thowsand merkes. The king receaved them in favours. Their peace was proclaimed after noone. The day following, the king came up to the toun in the morning, being to take journey to Dumfreis; ratified this favour to them in the counsell hous, and, drinking to the magistrats and counsell, called them his gossops. The bells were rung for joy. The king was convoyed out at the West Port with trumpets, pypes, and great mirth. He returned to Edinburgh upon the 13th of Aprile. The toun made him a bankett in Mr Robert Bruce's hous. In the meane tyme, there was ringing of bells, and playing upon instruments. Therafter, he was convoyed to the Abbey. So the king, in a maner, would triumph over the poore banished ministers; but he had little credit in the mater.

MR D. LINDSEY CENSURED.

Mr David Lindsey was gravelie censured in the Synod of Lothian, holdin at Leith upon the fyft of Aprile, for not receaving and using the commissioun of the presbyterie, and his fault registered in the booke of the synod.

THE FOURE MINISTERS OF EDINBURGH RELAXED FROM THE HORNE.

Upon Thursday, the 21st of Aprile, the foure ministers of Edinburgh gott accesse to the king. He approved their flight, becaus, as he said, he might perhaps have done in his furie that which he would have repented after. They were relaxed from the horne the day following, but had not yitt gottin libertie to exercise their ministrie in Edinburgh.

THE ORDINAR ASSEMBLIE FENCED.

Upon the 27th of Aprile, Mr Robert Pont, moderator of the last Generall Assemblie ordinar, went to St Andrewes, of purpose to keepe the dyett appointed by the last Generall. Few or none conveenned, but some commissioners out of Lothian, Perth, Stirline, and out of the Synod of Fife. They conveenned in the New Colledge Schoole, the place appointed for the said Assemblie. After incalling on the name of God, and humble confessioun of the sinnes which had procured that desolatioun, craved mercie, and fenced the Assemblie. Notes and documents of protestatioun were taikin for the libertie of the kirk. All summouns, references, appellatiouns, were continued till the Assemblie following. The exhortatioun of the moderator was likewise continued to that day.

ASSEMBLEIS OF THE NEW FASHIOUN.

Becaus the Assemblie was to be holdin in May approaching, we heere once for all make a difference betuixt the Assembleis preceeding, and the Assembleis following, after this maner:—

1. Christ, by his spirituall office-bearers, convocated and appointed tymes and places of before. Now, the king, bearing no spirituall charge in the kirk, usurpeth that allanerlie.

2. Christ presided by his Word and Spirit, directing the mode-

rator and brethrein. Now, the king his lawes and policie of estat directeth (I will not say controlleth) moderator and brethrein.

3. Maters were propouned simplie, and the brethrein sent to seeke light therin out of the Word of God, by reasons, conference, meditation, and prayer. Now, platts and courses are wiselie layed before, moyens and meanes are appointed to bring them about. All is devised and advised in the king's cabinet: according thereto is the proceeding. Tent is weill tane in publict, in privat, what may further, what may hinder the same. There is mater to winne credit in court. He is the king's man, an honest man, a good peaceable minister, that goeth that way; and they are seditious, troublesome, capped, factious against the king, as meane or reasoun in the contrare.

4. In reasouning, the Word was alledged, the text sighted, the reasoun weyghed at great lenth and leasure, and according to the weyght therof, it boore the conclusioun away by a plaine force of cleere truthe; the which being once found out, he that held the contrare, willinglie and pleasantlie yeelded, and all acquiesced. Now, the Word is ather (as a thing knowne and commoun) past and posted over, or if it come directlie and cleere against the layed purpose, then the king's man that is quickest of ingyne must devise a glosse and *distinguo;* and if it be insisted upon, the king himself must fall on him, and beare him doun, and putt him to silence with reasoun, language, and authoritie.

5. The veritie was uprightlie and indifferentlie sought, without respect of this side or that, this purpose or that, which made men sattledlie, gravelie, and quietlie, to bring out their reasouns, and speeke their opiniouns. Now, the purpose must be respected, and dealt for with heate and contentioun, as they can not be thought fracke eneugh in the caus.

6. The feare of God, the love of Christ, the care of the kirk, learning in Scripture, the power of preaching, the motioun and force of prayer, and the ey and presence of these in whom these gifts speciallie shynned, wrought amongst all estimatioun, reverence, and good order. Now, it is the person, presence, purpose, favour, and regaird of the prince, that beares out and controlls all.

7. If anie had a gift and measure by others of learning, utterance, uprightnesse, zeale, earnestnesse in prayer, force in exhortatioun, it was spyed out, and speciallie employed by consent of all at these Assembleis. Now, the platts are layed, how none sall have place but suche as serve for the purpose.

8. If an offensive word or gesture had fallin out in a brother, it was incontinent censured and redressed. Now, if a truthe be uttered freelie, and in zeale, it is mett with a square lee; and he that is for the king's caus may use what countenance, gesture, and language he pleases.

9. And voting was wount to be used for no other purpose, but to testifie an universall consent in a cleered and found out veritie, so that skarselie yee would have found one *non liquet*, becaus that tyme and all meanes were granted and used for resolutioun. And now, reasoning is used but for the fashioun; and nothing is suffered to come in determining but that which is sure to be borne away by maniest votes. And, therefore, the catalogue of the commissioners must be perused, to ken who is with us and who is against us.

10. In end, the end of the Assembleis of old was, how Christ's kingdom might stand in holinesse and freedom. Now, it is how kirk and religioun may be framed to the politick estat of a free monarchie, and to advance and promote the grandour of man, and supreme absolute authoritie in all causes, and over all persons, als weill ecclesiasticall as civill. In a word, where Christ ruled before, the court beginneth to governe all: where preaching prevailed, policie tooke place: where devotioun and holie behaviour honoured the minister before, then beganne pranking at the chaire, and prattling in the eare of the prince, to make the minister to thinke himself a man of estimatioun.

THE GENERALL ASSEMBLIE HOLDIN AT DUNDIE.

The Assemblie which was holdin in Dundie, in the moneth of May, was an Assemblie of this new fashioun before described. The two cheefe intents the king and his factioun had was, to absolve

the excommunicated erles, and to gett the articles concluded at Perth declared and ratified, and als muche farther as might be atteaned unto. That the king might come to his purpose, he granted, by the advice of suche ministers as favoured his course, conference to the ministers of Edinburgh; the libertie of free subjects, yea, libertie to come to Dundie to the Assemblie, to know further of his minde! In like maner, libertie was granted to Mr David Blacke to come from his waird to Dundie. After the Assemblie was lawfullie fenced by the doctrine of the last moderator, Mr Robert Pont, and Mr Thomas Nicolsone was chosin clerk, it was drifted and wearied at the king's pleasure, till the comming of Mr Robert Rollock, whom he and his factioun intended to have moderator. He was a godlie learned man, but simple, timorous, and easilie led with counsell. Mr Thomas Buchanan, his old maister, tutoured him in a maner. Mr Thomas was now winne to the king's side, by the grant of a favourable sute made for the Lord Lindseye's restitutioun. Manie motives were used, both in privat and publict, to choose Mr Robert Rollock moderator. When the king and his followers had dressed him for the purpose, the Assemblie was keeped frequentlie. Sir Patrik Murrey, and suche of the ministers as were alreadie winne, travelled with others that were of anie note, and brought them to be acquaint with the king. This was their exercise morning and evening, diverse dayes. Sir Patrik Murrey advised Mr James Melvill to move his uncle, Mr Andrew, to returne home, or ellis the king would charge him to goe off the toun, for he could not abide him. Mr James answered, that were but vaine labour, for he would not take that counsell: if the king would use his authoritie, he would suffer patientlie. "Surelie," said Sir Patrik, "I feare he suffer the dint of the king's wrathe." "Truelie," said Mr James, "I am not affrayed but he will abide all." The day following after that conference, before the sitting doun of the Assemblie, Mr Andrew and Mr James were commanded to come to the king. After they entered in his cabinet, he beganne to speeke gentlie to Mr Andrew; but when he beganne to tuiche maters, Mr Andrew brake out in his wounted maner, so that the

king and he were heard for the space of an houre, by all that were in the hous and the closse. In end, the king groweth calme, and dismisseth him favourablie. At the choosing of the clerk, there was an ordinance made, that at the penning of everie act, there sould be certane brethrein with the clerk to see the acts formed, of which number was Mr James Melvill and Mr James Nicolsone. But when Mr James Melvill came to attend, they were commanded to come to the king with the minuts; so he gotte not accesse again. It was also ordeanned, that all the acts sould be read in publict, before the dissolving of the Assemblie; but that was not performed. It was shewed to the Assemblie how the king's articles past at St Johnstoun. But no remedie, howbeit a great number of the sincerest sort did their part honestlie.

Mr Johne Davidson's letter to the Assemblie was read in the third sessioun, the copie wherof followeth:—

> "*Stand fast therefore in that libertie wherewith Christ has made us free, and be not entangled again with the yoke of boundage.*" Gal. v.

"As infirmitie of bodie hindered my presence from this Assemblie, (reverend and loving brethrein,) so straitnesse of tyme suffereth me not to supplee my absence by writt, as I would; yitt, seing duetie craved somwhat in this case, at so necessar a tyme, I abridged a few things to call to your godlie remembrance, beseeking you all to take them in a good part, as they come of a loving minde to Christ's caus, and weale of his kirk. It is not unknowne to you (deere brethrein) that the unitie and libertie in the sinceritie of doctrine hath beene, and is to this day, the rose-garland of the Kirk of Scotland; and that the preservatioun of this unitie and libertie in doctrine came of the agreement in the libertie of the executioun of discipline, which has beene the hedge and bulwark, as it were, to the doctrine hitherto. And, therefore, the invasioun of the freedom of discipline can not be without ensuing danger to the libertie and unitie of doctrine, no more than Edinburgh can be long free of feare

of perrell, if invasioun of the borders be not resisted at the borders. And it may weill be thought that the preservatioun of the libertie and unitie in discipline was saved by the wise wearing off of thornie questiouns theranent, by wise foresight of our worthie fathers and brethrein, who ranged the questiouns in the Generall Assemblie to a boun the tyme and place therof, that the heate therof sould not burst out at the beginning, and so disturbe the whole actioun. Beside this, these questiouns were limited to come, by degrees, from other inferiour Assembleis who were not able to solve them, and not to breake in at the braid side. And last, if they were questiouns of weight, they were remitted from one Assemblie, to be rypelie advised by the brethrein to the nixt Assemblie, for avoiding of contentioun and rash conclusiouns. Which good custome, if it had not beene keeped, our libertie and unitie could not have stand, as two loving sisters, to this day. For where questiouns gett over-great libertie, godlie edifeing is excluded, as miserable experience teacheth among the Popish schoolemen. They breed strife, as the apostle writteth; and the beginning of strife is as one that openeth waters. Wherfore, er contentioun beginne, lett us leave off, as Salomon sayeth. Nather is it about mere externall things, or alterable, as men speeke, that the cheefe questioun is now a day, howbeit questiouns even in these maters, as is said, are warilie to be admitted; (for, as that ancient Father gives out, '*Facilius est constituta labefactare, quam labefactata in pristinum statum reducere;*') but it is about a substantiall part of doctrine, to witt, rebooke of vice, and that manifest, opin, and obstinat vice, that groweth to suche great hight, as it would be licentiated by lawes, with imprissounment and boundage of the libertie of the truthe, as all that wilfullie are not blind may easilie see; for the which truthe, and libertie therof, are we bound to strive.

"Therefore, lett us stand fast in that libertie wherewith Christ in that cace hath made us free above all natiouns, and lett us not agree with men in these things, '*quæ concordiam prorsus excludunt. Nefarie quidem, impieque concordes erant, qui turrim extruebant.*' Nazianzenus. And lett '*libido novandi circa ecclesiam*' be farre at the

least from ourselves of the ministrie, as in sense the same author hath. Manie things hath our kirk need of at this tyme, meeter to be handled than suche questions; nather has our prince (God be praised) occasioun to conveene us, for making agreement and concord among us, as the good emperours had. And as for things to be reformed for the weale of the kirk, I heare no word of them. I pray God, Satan's drift be not to breake our agreement, that hath stood so long in Christ; for it is delivered by an ancient Father in this sense, '*Nam tyranni ecclesiam insectando, firmiorem etiam ipsam reddiderunt, etc. Quod cum versipellis ille animadvertisset, aliam fraudem excogitavit; inimicitiasque et funesta dissidia inter duces* (*antistites*) *ipsos excitavit.*' And Basile, giving the caus of this plague, writteth in this sense, *Dissentio multorum contra multos, ex eo contingit quod indignos nos ipsos gubernatione et moderamine domini constituimus.* Wherefore, brethrein, lett us stand fast in our Christian libertie and unitie, '*et absit ut inter nos tristi contentione* (as one writteth) *decertemus.*' But if the tyme be come that the sentence of the apostle is to be performed, *Oportet enim etiam hæreses inter vos esse,* we doubt not but *qui probati sunt, manifesti fient inter nos.* And if anie act sall passe, as God forbid, in contrare anie jote of our Christian libertie, agreeable to God's Word and the lawes of the realme, I, in my owne name, and the rest of Christ's faithfull messingers within this realme, will stand by God's grace to the protestatioun made verballie by me in his Majestie's presence, at the last Generall Assemblie holdin at Edinburgh; for it will not be the new cords of the Philistins that will keepe Samsone bound. Howbeit Moses would not leave behind him *ne ungulam quidem,* he was not for that a schismatick; and Elias was no troubler of Israel. *Hæc θρασεως μεν, ισως και αμαθως.* Yitt, I trust, the good brethrein will take my simple meaning in good part. Fareweill, good brethrein, and the good Spirit of the Lord be president among you. Amen.

"From Saltprestoun, the 8th of May, 1597.

"Your loving Brother in Christ,

"JOHNE DAVIDSONE."

"My simple advice is, if anie grant of absolving from excommunicatioun be made, as I know no caus yitt why, yitt, if others know, that they gett *annum probationis* injoynned to them, before they be admitted to court, or have accesse to sitt at the helme, for though they have Jacob's voice, yitt I feare Esau's hands. But it is objected, that this mater will be troublesome to us, if we stand to it. Answere, It is a new doctrine to say, that Christ can be without a crosse."

THE REPORT OF THE POPISH LORDS' ANSWERES.

In the sixt sessioun, the brethrein of the Presbytereis of Murrey, Aberdeene, and Mernes, with the other brethrein joynned with them in commissioun, declared that they had found the Erles of Angus and Erroll to satisfie in all humble maner, and did continue in their earnest sute for reconciliatioun with the kirk. They produced their answeres to the articles and conditiouns prescribed for their tryell subscribed, the tenour wherof followeth:—

THE ERLE OF HUNTLIE'S ANSWERES TO THE ARTICLES.

"1. The first is obeyed, for he compeered at Aberdeene the 22d of Marche appointed to him, and there abode, waiting on doctrine and conference, till the commissioners were satisfied with his resolution. And so the conference ended.

"2. The brethrein appointed to deale with him brought him, after long conference, to confesse the veritie of the whole grounds of religioun *affirmativè*, resolved his doubts by the Word of God, and moved him, with knowledge, to refuse and deteast all heeds of Papistrie contrare to the same.

"3. He acknowledgeth the Reformed Kirk of Scotland to be the true kirk: he is readie to joyne himself effaldlie thereto, acknowledging himself a member therof, submitting himself to the same; will heare the Word, and obey the same by the grace of God,

participat the sacraments, and obey the whole discipline of the kirk, as it is avowed by the king's Majestie and the estats.

" 4. He is readie to sweare and subscribe the Confessioun of Faith, in presence of the whole commissioners, so soone as they sall come backe with power to pronounce his absolutioun.

" 5. In significatioun of his obedience to this article, he has declared to the whole commissioners, that since he entered in dealing with the kirk, he never entered in commouning by word nor writt with anie Jesuit, preest, nor excommunicated Papist, except so manie as are under conference with the kirk, and is content to abide therat in all tyme comming. Siclyke, he is content to give his writtin band that he sall banishe out of his companie and whole bounds, all Jesuits and Seminarie preests, and sall expell therefra all excommunicated Papists, except suche as sall have licence of the kirk and king's Majestie. And, finallie, that none sall have recept by his knowledge in the places of his commandement, that are professed enemeis to religioun.

" 6. He is content, now or heerafter, to satisfie for his apostasie in the place appointed, at the discretioun of the said commissioners, and then to ratifie the foresaid premisses.

" 7. He declareth his unfained greefe for the slaughter of the Erle of Murrey, and will satisfie the partie at the sight of the king's Majestie, the kirk, or of godlie and indifferent freinds; will make offers to that effect, lyke as he has givin a blanke to his Majestie, to be filled up with particular assithement, and that after his absolutioun.

" 8. He promises, now or heerafter, to crave of God mercie for the said slaughter, when, where, or how the kirk's commissioners sall appoint.

" 9. At the desire of the saids commissioners, he presentlie remitteth all rancour and malice conceaved by him, for anie occasioun or deid offered to him by the countrie men in the king's service, and promitts upon his fidelitie never to querrell anie for the same that are within thir bounds, and speciallie, none of the ministrie ather North or South.

"10. He agrees, that at the sight of the ministers, Mrs David Cunninghame, Alexander Dowglas, George Glaidstains, and of his freinds, Pitlurg, Clunie, * * sall sett doun an order for provisioun of his kirks, which he promises to execute immediatlie after his absolutioun.

"11. By the advice of the said commissioners he promitts to take a minister, and interteane him in his owne hous.

"12. He confesseth, that by his publict offences, he gave sufficient mater to the kirk to have deduced the sentence of excommunicatioun against him.

(*Sic subscribitur*) "HUNTLIE."

THE ERLE OF ERROLL'S ANSWERES TO THE ARTICLES.

"1. The first is obeyed; for he, having sufficientlie excused his absence from the first dyet, the 27th of Marche, came to Aberdeen the 5th day of Aprile, where the commissioners appointed him to resort to Aberdeen, about the 20th day of Aprile, to have conference with suche as they appointed of their number to meete him there; which he did, comming in the toun the 20th of Aprile, and there abode, resorting to publict doctrine and conference, till the commissioners were satisfied with his resolutioun. And so the conference was ended.

"2. The brethrein appointed to deale with him brought him, after long reasoning, to confesse the veritie and the whole grounds of religioun *affirmativè*, resolved his doubts by the Word of God and ancient doctors, and moved him with knowledge to refuse all heids of errour in Papistrie contrare to the same.

"3. He acknowledged the reformed Kirk of Scotland to be the true kirk: he is readie to joyne himself thereto, and professe himself a member therof; will heare the Word, obey the same by the grace of God, participat the sacraments, obey the whole discipline of the kirk, as it is acknowledged presentlie by his Majestie and estats.

"4. He solemnelie promises, and offereth his writtin band, that

lyke as since his promises and entering in conference with the kirk, he never intercommouned with Jesuits, preests, or excommunicated persons, except with suche as are dealing with the kirk, so to keepe in all tyme comming; and that he sall banishe out of his companie and bounds all Jesuits, preests, and sall expell therefra all excommunicated Papists, except suche as sall have licence of the kirk and king's Majestie. And, finallie, none sall have recept in his bounds that are professed enemeis to the kirk, by his knowledge.

"5. He is readie to sweare and subscribe the Confessioun of Faith, in presence of the whole commissioners, so soone as they sall come backe from the nixt Generall Assemblie, with power to pronounce his absolutioun.

"6. He is content to satisfie for his apostasie in the place appointed, and there to ratifie the foresaid premisses.

"7. At the desire of the said commissioners, he presentlie remitts all rancour and malice conceaved by him for anie occasioun or deid offered to him by the countrie men in the king's service; and promitts, upon his fidelitie, never to querrell anie for the same, speciallie none of the ministrie South nor North.

"8. He agrees, that suche of the ministrie as sall be appointed, with suche freinds as he sall appoint, sett doun what sall be his part for planting of the kirks within his bounds; which he promises to execute after his absolutioun.

"9. By the advice of the commissioners, he is content to take a minister, and interteane him in his hous.

"10. He confesseth, that he gave sufficient mater to the kirk to have deduced the sentence of excommunicatioun against him.

(*Sic subscribitur*) "ERROLL."

THE ERLE OF ANGUS' ANSWERES TO THE ARTICLES.

"1. He being called before us, it was injoynned unto him to remaine at Barras, in the parish of Kynneffe, and there await upon the hearing of the doctrine in that his parish kirk; and upon con-

ference, at suche tymes and places as were appointed at Conveth and Aberbuchnot kirks; which he has faithfullie keeped and observed, untill his resolutioun was obteaned.

"2. After we had reasoned and conferred with him in manie of the controverted heeds of religioun, by the Scriptures and ancient doctors, he satisfied us *affirmativè* and *negativè*.

"3. He acknowledgeth the Kirk of Scotland to be the true kirk, and is readie to joyne himself thereto, and professe him a member therof: will heare the Word, participat the Sacraments, and obey the whole discipline of the kirk, as it is avowed presentlie by his Majestie and the estats.

"4. He solemnelie promises, by word and writtin band, to remove furth of his whole companie and bounds Jesuits and excommunicated persons, lyke as he has done, since the commissioners intimated this article to him.

"5. He desires the commissioners to gett a power to absolve him, and immediatlie therafter he sall sweare and subscribe the Confessioun of Faith.

"6. He is content to satisfie for his apostasie in his owne parish kirk, and there to ratifie the foresaid promises.

"7. He understands none of the countrie to have incurred his wrath or deidlie fead, for pursuing him in his Majestie's service, which he protests before God, that he never meant to harme anie man for giving obedience to his Majestie's lawes; which, if he had done, he sould rather have made a mends, nor have forgiven; and if anie in particular will compleane, he will satisfie that article, albeit, in verie truthe, as all the countrie knowes, he has susteanned great losse; which he has the kirk to meane in most humble maner to his Majestie, as the commissioners will declare at more lenth.

"8. He is content at the sight of the commissioners, and his best advised freinds, to provide stipends for his kirks, how soone he sall be absolved and restored to his living.

"9. He will most willinglie take a minister, and interteane him in his owne hous, by the advice of the commissioners.

"10. He confesses that he deserved to be excommunicated.
(*Sic subscribitur*) "ANGUS."

COMMISSION TO ABSOLVE THE POPISH ERLES.

The Assemblie ordeanned the saids commissioners respective to proceed farther with the saids erles, and to receave a full satisfactioun of suche things as were promised by them, and to crave the accomplishement, so farre as possiblie can be performed. That is,

"That they (as they in their answeres have avowed and subscribed) presentlie confesse the veritie of the whole grounds of our religioun *affirmativè*, and, with some measure of knowledge, refuse and deteast all heads of Poprie contrare to the same.

"That they acknowledge the reformed Kirk of Scotland to be the true kirk.

"That they effaldlie joyne themselves to acknowledge themselves members therof, submitting them to the same; and sall be readie at all occasiouns to heare the Word, and obey the same, participat the sacraments, and obey the whole discipline of the kirk, as is allowed by his Majestie and the estats.

"That before their absolutioun they sweare solemnelie and subscribe the Confessioun of Faith, in presence of the whole commissioners.

"That as they have testified by their writt, even so by their band they promise to remove out of their companie, in all tyme comming, all Jesuits, preests, and excommunicated Papists, but suche as sall be licentiated by the kirk.

"That at the tyme of their absolutioun they satisfie in most humble maner in the kirks of Aberdeen and * * for their former apostasie, and there ratifie these their promises in most solemne maner.

"That the Erle of Huntlie, before his absolution, aske God mercie for the Erle of Murrey's slaughter, and declare his penitence for the same.

"And becaus their Lordships have promised, upon their fidelitie, never to querrell anie gentle men of the countrie that have persued, or otherwise troubled them, and thereby incurred their wrath in his Majestie's service, and at his Majestie's commandement: Therefore, to the effect the fruicts therof may the more evidentlie appeare, that their Lordships faithfullie promise, that like as their sonnes have alreadie obteaned, or, at least, are to obteane, of his Majestie, of meere grace and free donatioun, the gift of their forefaultries; even so, the gentlemen of the countrie that are vassals to them, and have incurred the like sentence of forefaultour, and perrelled their lands, not through their owne evill demerit, but by reasoun they were vassalls to them, may receave and obteane of their Lordships the like grace as is imparted unto them by their soveran; and as his Majestie granted a benefite unto them who had offended, even so their Lordships' vassalls be not troubled for anie compositioun of their lands, which not by their fault, but through their Lordships' failyie, were endangered and holdin in non-entrie; and that their Lordships renew their promise, of remitting all rancour and malice of heart against the said gentlemen. And as to the provisioun of kirks which perteane to everie one of the saids erles respective, that they, at the advice of their best affectiouned freinds, and the saids commissioners, sett doun a solide order how the ministrie may be planted, and honestlie susteaned at the same: which they sall ratifie and approve, and putt in executioun, immediatlie after their absolutioun.

"That by the advice of the commissioners, they make choice of a minister, who sall be interteaned in their hous for instructing of the same.

"That they renew the confessioun of their sinnes, acknowledging that they were justlie excommunicated for the same.

"And to the effect that all slander may be removed from the Erle of Huntlie, and speciallie that which did arise upon the slaughter of Mr William Mure, which was committed during his Lordship's remaining at Aberdeene, that his Lordship provide suche remedie, that the poore woman, mother to the said Mr Wil-

liam, may be satisfied; and suche assithement made, als weill for him as her husband's slaughter, as the commissioners sall thinke expedient.

"With power to the saids commissioners, after the accomplishement of the premisses, to absolve the saids erles from the said sentence of excommunicatioun, and receave them again in the bosome of the kirk."

Thus, by pluralitie of led votes, it was concluded that the Popish erles sould be absolved; for there were some of the ministers als bent to absolve as they were to seeke absolutioun. This schisme and rent, which beganne in Februar, at Perth, becometh wider at this Assemblie.

THE ARTICLES PROPONED AT PERTH EXPLANED AND CONCLUDED.

In the seventh sessioun, the articles which were givin in by the king to the last Assemblie, (for so now it was declared and ratified,) the decisioun wherof was referred to certane commissioners, and therafter to be concluded in this Assemblie, were explained, under colour of satisfactioun of suche as were not present at Perth at that tyme, nor acquainted with them. After reasouning and voting, his Majestie being present for the tyme, these declaratiouns and conclusiouns were sett doun which follow:—

NOTES IN FORME OF DECLARATION OF CERTAN OF THE ACTS MADE IN THE GENERALL ASSEMBLIE HOLDIN AT PERTH, IN FEBRUAR LAST BYPAST, FOR EXPLAINING OF HIS MAJESTIE'S AND THE ASSEMBLIE'S MEANING, FOR THE SATISFACTION OF SUCHE AS THEN WERE NOT ACQUAINTED THEREWITH; WHICH ARE ORDEANNED TO BE REGISTRED IN THE ACTS OF THIS PRESENT ASSEMBLIE.

"First, Anent the lawfulnesse of the said Assemblie holdin at Perth, it is declared by this present Assemblie, that one of the reasouns moving the brethrein to acknowledge the lawfulnesse of

the said Assemblie, was found to have beene, that the commissioners of the kirk accorded with his Majestie theranent, as is expresselie sett doun in his Majestie's letter.

"*Item*, The reasoun moving the Assemblie to grant the more willinglie to the secund article, concerning the reproving of his Majestie's lawes, was this; his Majestie's earnest and constant affectioun to religioun, and obedience to the Word, was evidentlie knowne to the whole Assemblie; and that it was his Majestie's declared will and intentioun alwayes to frame his lawes and whole governement according to the same: for which causes the said Assemblie agreed to the said article.

"Anent the article ordeanning that no man's name be expressed in pulpit, except in notorious crymes, &c., the point of notorietie is farther defynned, if the cryme be so manifest and knowne to the world, *ut nulla tergiversatione celari possit.*

"Anent the article ordeaning that no conventioun of pastors be without his Majestie's knowledge and consent, &c., his Majestie's consent is declaired to be extended to all and whatsomever forme, ather of Generall Assemblie or Speciall, permitted and authorized by his Hienesse' lawes, according as they have warrant in the Word of God, as being the most authentick forme of consent that anie king can give.

"Anent the article concerning provisioun of pastors to burrowes, it is declared, that the reasoun therof was, and is, that his Majestie was content, and promised, where the Generall Assemblie finds it necessar to place anie person or persons in anie of the said touns, his Majestie and the flocke sall ather give their consent thereto, or ellis a sufficient reasoun of the refusall, to be propouned ather to the whole Assemblie, or to a competent number, or the commissioners therof, as his Majestie sall thinke expedient."

ANSWERES TO THE REST OF HIS MAJESTIE'S QUESTIONS, ACCORDING AS THEY WERE PROPOUNED BY HIS HIENESSE AND HIS COMMISSIONERS, IN THE PRESENT ASSEMBLIE.

"First, Anent the propositioun moved by his Majestie to the Assemblie, craving, that before the conclusioun of anie weightie maters concerning the estat of his Hienesse or of his subjects, his Majestie's advice and approbatioun be craved thereto, that the same being approved by his Majestie, may have the better executioun, and if need be, be authorized by his Hienesse' lawes. The Assemblie craves most humblie that his Majestie, ather by himself or his Hienesse' commissioners, in maters concerning his Majestie's estat, or the whole estat of his subjects, and others of great weight and importance that have not beene treatted of before, would give his advice and approbatioun thereto, before anie finall conclusioun of the same: And for the better obedience to be givin to suche like statuts in all tyme comming, that his Majestie would ratifie the same, ather by act of his Hienesse' parliament, or Secreit Counsell, as sall be thought needfull; the which his Majestie promised to doe, according to his Hienesse' propositioun, which was accepted and allowed of by the whole Assemblie.

"The Assemblie ordeans that there be an uniformitie in the ordinatioun of the ministrie throughout the whole countrie: Impositioun of hands; and that they be admitted to certane flockes, upon the which they sall be astricted to attend, according to the acts of the Assembleis made of before: and ordeans that none that are not admitted to the ministrie be promoved to teache in publict and great rowmes, except upon verie urgent necessitie, in defect of actuall ministers, they be ordeanned to supplee suche wants by the presbytereis, provinciall or Generall Assembleis, who sall take order that they keepe themselves within the bounds of their gift, and speciallie in applicatioun.

"That no pastor exercise anie jurisdictioun, ather in making of

constitutiouns or leading of processes, without the advice and concurrence of sessioun, presbyterie, provinciall or Generall Assemblie.

"That all sessiouns be elected with consent of their owne congregatiouns.

"That all sessiouns, presbytereis, and provincialls, use suche formes in all their processes, as may be found lawfull and formall, and able to abide tryell; the which sall be registred in maters of importance.

"And, to that effect, ordeans the proceedings of privat sessiouns to be sighted at presbytereis, and the proceedings of presbytereis at provinciall assembleis, and the proceedings of provincialls at the Generall Assembleis.

"The Assemblie ordeans that in the exercises, when the ministers are conveenned at their presbytereis, no applicatioun be used.

"That in the determinatioun of maters of importance, where the votes sall be onlie different upon two or three, that nothing be concluded therin till better resolutioun; and that in suche difference, he that susteanes the negative with his vote sall give *rationem negandi.*

"The Assemblie ordeans the presbytereis to meddle with nothing in their judicatour which sall not be found but controversie proper to the ecclesiasticall judgement; and that heerin an uniformitie be keeped throughout the whole countrie.

"That all processes and acts be extracted to parteis having interesse, where there is a writtin processe.

"The Assemblie superseeds to answere the article tuiching summar excommunicatioun whill the nixt Generall Assemblie, and in the meane tyme suspends all summar excommunicatioun. Alwise, in great crymes, the Assemblie ordeans a publict intimatioun of the same to be made, and the committer therof to be suspended *a sacris*, and prohibited *a privato convictu.*

"If anie presbyterie sall be desired by his Majestie's missive to stay the proceeding of anie thing prejudiciall to the civill jurisdictioun, or privat men's rights, it is ordeaned that the said presby-

terie sall desist in the said mater untill they send to his Majestie for satisfactioun theranent."

A GENERALL COMMISSIOUN GRANTED TO SOME MINISTERS.

A new forme of commissioun was made, and power givin to some few ministers to conveene with the king, at suche tyme and place as his Majestie sould require, under colour to keepe concord betuixt the kirk and the king, and to treate upon all maters serving to that use; but in effect to putt in executioun the articles alreadie yeelded to by the greater number, to the greefe of the better sort. In a maner the whole power of the Generall Assemblie was weakenned by this commissioun; for the commissioners being exalted so high as to have accesse to the king when they pleased to sitt with him in counsell, they beganne soone to change their maners. They would rule all both in and out of Generall Assembleis as the king pleased. For they were the king's led horse, and usurped boldlie the power of the Generall Assemblie and governement of the whole kirk. All ecclesiasticall maters which were to be treatted in Generall Assembleis from hencefurth, was first prepared and dressed at court, and then in the full Assembleis concluded by pluralitie of purchassed votes, where as before, after earnest prayer, searching of the Scriptures, powerfull exhortatiouns, grave reasouning, and mature deliberatioun, maters of importance were determined by uniforme consent of the whole for the most part. So the commissioners were as a wedge taikin out of the kirk, to rent her with her owne forces, and the verie needle which drew in the threed of bishops.

THE FORME OF THE FIRST GENERALL COMMISSION.

Session 9, *May* 16.

The which day, in presence of the whole Assemblie, the king's

Majestie being personallie present, declared, that seing through the shortnesse of tyme there were sindrie maters of weight and importance not only concerning particular flockes, but which did in speciall tuich the whole estat and bodie of the kirk, which could not commodiouslie be treatted and concluded in this present Assemblie; as namelie, tuiching both the planting of particular congregatiouns, and of the whole kirks within this realme, which as yitt, through default of honest interteanement, remaine unplanted, and destituted of the confort of the Word; and anent a solide order to be tane anent a constant and perpetuall provisioun for the sustentatioun of the whole ministrie within this realme, to the end they be not (as in tyme bygane) to depend and await upon the commissioners appointed for modifeing of their stipends, and so be forced to absent themselves the most part of the yeere from their flocke, to the great disgrace of their calling, dishanting of the congregatioun, and discontentment of his Majestie, whose care ever has beene, and earnest desire continues as yitt, that everie congregatioun have a speciall pastor honestlie susteaned, for the better awaiting on his cure, and discharging his duetifull office in the same: And, therefore, his Majestie desires the brethrein to consider, whether it were expedient that a generall commissioun sould be granted to a certane of the most wise and discreit of the brethrein, to conveene with his Majestie for the effectuating of the premisses. The which his Majestie's advice the Assemblie thinkes verie necessarie and expedient, and, therefore, has givin and granted, lyke as by the tenour heerof they give their full power and commissioun to the brethrein underwrittin; viz., Mrs Alexander Dowglas, James Nicolsone, George Gladstains, Thomas Buchanan, Robert Pont, Robert Rollock, David Lindsay, Patrik Galloway, Johne Duncansone, Patrik Schairp, Johne Porterfeild, James Melvill, William Cowper, and Johne Clappertoun, or anie seven of them, to conveene with his Majestie betuixt the day of these presents and the last of May instant: with power to them to take solide order anent the provisioun of ministers to the touns of Edinburgh, Dundie, and St Andrewes, his Majestie and the prince's hous; to give their advice

and judgement to his Majestie anent the planting of everie particular kirk within this realme; to make suche overtures as they can best devise, tuiching the Constant Platt; and, generallie, to give their advice to his Majestie in all effaires concerning the weale of the kirk, and interteanement of peace and obedience to his Majestie within this realme: with expresse power and command to the saids commissioners to propone to his Majestie the petitiouns and greeves, als weill of the kirk in generall as of everie member therof in particular, as sall be meaned to them. *Promitten de rato.*

So, in this corrupt Assemblie, we find the Kirk of Scotland farre prejudged of her liberteis, in that the libertie of applicatioun and free rebooke of sinne was restrained; maters of greatest importance committed to some few court ministers seeking advancement and preferment; summar excommunicatioun for notorious crymes suspended, and in effect taikin away; all conventiouns of pastors, not permitted or authorized by the king's lawes, discharged; the Popish erles remitted to the fulfilling of some conditiouns, for absolutioun and reconciliatioun, etc. These were the effects and fruicts of divisioun, which now was wrought among the ministrie by the craft and counsell of some statesmen. It was the advice, some say, of Mr Johne Lindsey, Secretar; others say, of Mr Thomas Hammiltoun, then the king's Advocat, now his Secretar, to divide the ministrie, becaus otherwise they could not be overthrowne. And it was an easie mater to effectuat, seing there were so manie ambitious spirits among them thristing for gaine and glorie.

ACT.

In the eight sessioun it was ordeanned, that no reader minister the sacrament of baptisme, nor yitt presume to celebrat the bannes of mariage, without speciall command of the minister of the kirk; and if there be no minister, of the presbyterie of the bounds; and that this act be intimated at everie parish kirk, that none may pretend ignorance in tyme comming. The occasioun of the act arose of the abusse of readers baptizing childrein gottin in adulterie and

fornicatioun, before satisfactioun made by the offenders, and celebrating unlawfull mariages. The Assemblie, therefore, discharged the readers *simpliciter* of baptisme, and limited the celebratioun of mariage with some cautioun.

A COMMISSIOUN TO TRY BONYTON.

In the last sessioun, commissioun was givin to the brethrein appointed to receave the Erles of Huntlie and Erroll, to enter in farther conference and tryell with James Wood, appearand of Bonyton, and incace of full satisfaction, to absolve him from the sentence of excommunicatioun. Commissioun was givin to Mr George Glaidstains, Andrew Mylne, Andrew Leitche, Johne Ramsay, and Andrew Lambe, to travell in the reconciliatioun betuixt the Laird of Bonytoun and his sonne, seing he offered to satisfie his father for anie wrong he had found into him at anie tyme.

MR J. RUTHERFORD REPOSED TO HIS MINISTRIE.

In the moneth of June, the king entered in practise with the commissioners of the Generall Assemblie against the liberteis of the kirk. They conveened at Falkland; called the Presbyterie of St Andrewes before them, by vertue of a particular commissioun givin to them, upon a complaint made by Mr John Rutherfurde. They reduced the sentence of depositioun from the ministrie of Kinnocher, givin out by the said presbyterie, and pronounced against him, which was approved by the Synod of Fife. He purchassed his freindship in court, by calumneis forged upon Mr David Blacke and his ministrie. He hated the faithfull servant of God, becaus he was a great eye-sore to negligent, loose, and unfaithfull ministers, of which number he was one. But the sentence of the presbyterie, as it was ratified in the synod, so it was ratified in the heavens, for he did never good in the ministrie after, neglected it, and tooke him to the exercise of physick, and now, again, after the exercise of his ministrie in a cold negligent maner

in Dairsie, after his old fashioun, he is removed out of Dairsie by the bishop himself, notwithstanding of his former good service done to the king, commissioners, and bishops; but more for particular respects nor for his negligence in the ministrie.

MR R. WALLACE SUSPENDED.

Mr Robert Wallace, minister at St Andrewes, was accused before the Presbyterie of St Andrewes by Mr Johne Lindsay, Secretar, at the king's instigatioun, for some words uttered by him in pulpit, in the Little Kirk of Edinburgh. The commissioners of the Generall Assemblie conveened at Falkland take the cognitioun of the caus to themselves, and enter in processe against him. He declynned their judicatorie.

THE REASONS OF THE DECLINATOUR OF THE JUDICATOUR OF CERTANE OF THE COMMISSIONERS METT AT FALKLAND, TO COGNOSCE IN THE PROCESSE INTENDED BY MR JOHNE LINDSAY, SECRETAR TO OUR SOVERANE LORD, AGAINST MR ROBERT WALLACE, MINISTER AT ST ANDREWES.

"1. The brethrein, commissioners foresaid, nather have, nor can have, anie commissioun to cognosce in the said mater; becaus it is of veritie, that the said Mr Robert being challenged by his Majestie for sindrie of his speeches delivered by him in face of the Assemblie, and namelie, for certan words spokin against the secretar, and for a letter writtin to him; likewise the said Mr Robert craved a commissioun, wherin he offered himself to be tryed in the truthe and warrants of all his speeches; which commissioun was not granted by the Assemblie, thinking it most expedient that that mater sould desert, the Moderator himself, both privatlie and publictlie, inclynning to that part, that the said Mr Robert sould not urge a commissioun; wherunto the said Mr Robert at lenth did condescend.

"2. The brethrein foresaid have not, nor can have, anie commis-

sioun tuiching the mater foresaid, becaus that mater could never be referred to the Assemblie Generall, in respect that mater came never in by anie lawfull proceeding before the Assemblie, nather by appellatioun, nather by way of reference from presbyterie or synodall, or complaint of pairtie, as is the practise usuall in the kirk.

"3 In respect the processe foresaid is once intended before the brethrein of the Presbyterie of St Andrewes, undoubted judges thereto, and never orderlie taikin out of their hands, therefore, the said Mr Robert has good caus to declyne the present judicatour, not as yitt being dismissed by the former, his presbyterie.

"4. The Assemblie Generall remitted the said Mr Robert home to his cure, not to be tryed, but to use his functioun; which the Assemblie would nor could not have done, incace the slander lying on him could not have been tane away but by a commissioun; and his Majestie likewise dismissing gratiouslie and favourablie, after long conference had with his Hienesse, shewing he was willing that he sould be in his owne place, he behaving himself duetifullie, sheweth, that there was no commissioun understood by the Assemblie nor his Majestie, for taiking farther tryell.

"For which reasons, and others to be alledged, if need be, he most humblie beseekes the reverend brethrein in Jesus Christ, that they would desist from this proceedour against him in the mater foresaid; remembring, that he has offered humblie to travell for the resolutioun of anie offended with his doctrine, and namelie, of the Lord Secretar, by all wise possible, not prejudiciall to the honestie of his ministrie, and losse of a good conscience therinto; which, as he craves of God may be unspotted to his end, so likewise, he beseekes your Wisdoms wiselie to tender the same, as ministers with him of the same Evangell, and preachers of the same hope in Jesus Christ. Amen."

MR D. BLACKE, MR R. WALLACE, REMOVED FROM THE MINISTRIE OF ST ANDREWES.

Mr Johne Lindsey is stirred up by the king, notwithstanding, to prosecute the accusatioun. So, in the moneth of Julie, the king

and commissioners conveene at St Andrewes. The king interrupteth Mr Robert in his sermoun; wherupon, Mr Andrew Melvill rebooked the king verie sharpelie, threatned him with the judgements of God if he repented not. Thus Mr Andrew discharged a necessarie duetie, howbeit he was not ignorant that the cheefe intent of their conveening was to trouble him one way or other. Yitt the king and his commissioners proceed against Mr Robert, and removed him from the exercise of his ministrie there. His colleague, Mr David Blacke, was not so muche as called upon; and yitt, it behoved him to be debarred out of St Andrewes, and take him to some countrie parish; lyke as he was removed to Angus, and Mr George Gladestains transported out of Angus, and planted in his rowme at St Andrewes. In the meane tyme, the king and his commissioners suffered themselves to be intreatted for libertie to the ministers of Edinburgh to teache to their owne congregatioun; yea, and craved thankes for that favour! But all this favour was granted onlie to overthrow the more easilie the ministrie of St Andrewes, for they could not at one tyme, and so soone, worke their intent in everie thing. Mr Robert Rollock, moderator of the last Assemblie, and consequentlie moderator at this and the like conventiouns of the commissioners, kythed his owne weakenesse, in following the humours of the king and his commissioners, so that his credit and reputatioun were muche impaired by the troubling of these faithfull pastors, and concurrence with the king and court ministers in their proceedings. The best constructioun that was made by suche as favoured the sinceritie of discipline, and puritie of the Gospell, was, to attribute his part to simplicitie. Howsoever it was, he conceaved no small greefe of the miscontentment of the godlie. Yitt was he drawin on to proceed farther, as we sall heare.

THE RECTOR OF THE UNIVERSITIE CHANGED.

Manie accusatiouns and complaints were made upon Mr Andrew Melvill, at the visitatioun of the universitie. But God so

assisted him with courage and utterance, that they could find no vantage against him, but made choice of a new rector of the universitie; which office, according to the custome, he dimitted willinglie for manie causes, but speciallie becaus there was in it a mixture of civill magistracie with the spirituall office; and tooke on that burthein before at the desire of the universitie. Yitt to stoppe the mouths of the people, and to content strangers, Polonians, Danes, Low Countrie men, Frenche men, who, drawin with the fame of his learning, came to the universitie, gave him another office, more agreeable to him in all respects, to witt, to be Deane of the Facultie of Theologie. New orders and lawes were made, which the king and his commissioners thought fittest for that course; namlie, that no Maisters or Professours, nor Professours of the Universitie, na, nor Doctors of Divinitie, sould sitt in the presbyterie upon maters of discipline; which was done of purpose to seclude Mr Andrew Melvill. Thus, the king and the commissioners, by a borrowed authoritie from a corrupt assemblie, and, as it were, with the forces and armour of the kirk, sett upon one of her maine fortresses, to witt, the church and universitie of St Andrewes, and by authoritie more than order, throwed out two painfull pastors out of the kirk; and without anie advice at all, yea, directlie against the consent of the presbyterie, appointed Mr George Gladestains minister at St Andrewes, changed the rector, and made new orders and lawes.

THE MINISTERS OF EDINBURGH PERMITTED TO TEACHE IN THEIR OWNE PLACES.

The ministers of Edinburgh beganne to preache again in their owne places upon the 24th of Julie. They atteaned to this libertie by degrees, as followeth: They directed a letter to the ministers, and a supplicatioun to the estats conveenned at Perth in Februar, wherin they craved exact tryell. The king hearing that their supplicatioun was to be presented, caused stay the presenting of it, and alledged that was not the way to come by his favour, or

to compose the mater. When another bill was formed and presented to the counsell, some of the counsell found fault with it, as conteaning rather a recriminatioun nor a purgatioun. The king found fault with the prolixitie of it. They made a thrid, short, and advertised the king that they were to present it. The king promised to passe out of the counsell secreitlie; but he prorogued the counsell day. By moyen, they obteane their bill to be read the nixt counsell day, before the king was awar. The counsell ordeanned them to enter their persons in waird, and to find cautioun to that effect within ten dayes, where as they sould have had fourtie dayes' leasure, in respect they were out of the countrie; and likewise ordeanned them not to come neere Edinburgh by two myles. The king hearing that they sturred not for the hardnesse of the conditiouns, but were minded to enter in waird, directed Mr Patrik Galloway and Mr Robert Rollock to conferre with them, and promised, if they agreed not, they sould have recourse to their bill, that is, have libertie to enter in waird. So the conference was holdin at Nidrie. They were desired to advise what way they thought best to be purged of slander, for his Majestie knew perfytelie they were innocent of the alledged treasoun. The other heed proponed was concerning the king's satisfactioun. It was answered, what needeth satisfactioun, if his Majestie was perswaded of their innocencie? When some other particulars were objected, the ministers cleered themselves sufficientlie. At last, they report, that the king came to this point, that if their owne consciences accuse them in anie thing, they sould not thinke shame to confesse it to God's glorie; so manie as had anie scruple, in respect it was offensive to his Majestie, which was done the day of that tumult, to crave his oversight. They tooke in hand to satisfie the king. But after conference, the king urgeth farther; and urgeth them who had no scruple, to confesse an oversight, if it were but for unkindnesse. The ministers perceaving the king to creepe in upon them peece and peece, answered, they sould rather goe to the scaffold, ere he gott anie farther of them.

At lenth they are admitted to the king's presence in the palace

of Halyrudhous, upon Tuisday, the 29th of Aprile, at nyne houres at night. Everie one of them made his owne declaratioun. Mr Robert Bruce said, "Certanelie, Sir, if I could have foreseene, or anie way foreknowne, the consequent that ensued upon the actioun we had in hand that day, I would not for all the earth have entered in it. But as to that consequent, it was mere accidentall, and greeved me als muche as anie thing that ever fell out in my tyme in Edinburgh. Alwise, Sir, since yee have begunne so weill, I pray your Majestie continue, and lett me recover the rowme I wount to have in your Majestie's affectioun. For my part, I will promise to serve you, and to studie by all meanes to your preservatioun, so that I sall not [be] privie to the tuiche of the lap of your mantle, lett be of your person; for I know your calling is high, and person great, and therefore craveth due reverence of all your subjects." The king answered, "Surelie, Mr Robert, yee sall recover your rowme which yee had in my affectioun. But lett me expostulat a little with you." After some short conference, the king said, he would give him both heart and hand. So they entered that night in the toun, at that same houre they went out when they departed, and that same day of the weeke. They gave in their bill to the Secreit Counsell, and craved to be relaxed. The king made a verie indifferent report of the conference he had with them.

Within foure dayes before the Assemblie, which was to be holdin at Dundie, they had another conference with the king. Two things were demanded of them: One, tuiching the absolution of the Lord Huntlie; the other, tuiching the planting of Edinburgh, and their re-entrie. To the first they answered, they had shewed their minde alreadie to Mr Patrik Galloway, to witt, that his absolutioun would depend muche upon the report of these to whom his tryell was committed. If they were suspected and knowne not to deale uprightlie, the Assemblie would subjoyne others of greater sinceritie and fidelitie; and that the Ladie Huntlie sould be dealt with before her husband were receaved. As for the other point, that his Majestie sould urge the divisioun of Edinburgh in quar-

ters, as was intended before their departure out of the countrie; and that no pastor sould be granted to them, till they were content to receave the number which was agreed upon. The king approved their answere, and sent up the Clerk of Register to the counsell of Edinburgh the day following, with commissioun to injoyne them to sute their owne ministers, and so manie moe as were necessarie for the divisioun.

About the end of the Assemblie which was holdin at Dundie, they were sent for to come to the king with diligence. Upon the Sabbath day after their comming the king [sent] Mr Robert Rollock, Moderator of the Assemblie, and Mr Patrik Galloway, his owne minister, to them after supper, and desired them in plaine termes, that they would remove out of Edinburgh, and choose anie other place in the countrie that they thought meete. They answered, that that propositioun was altogether dissonant from the last conference which they had with his Majestie. Before they blotted themselves with such ignominie, they would willinglie renounce the favour they had gottin, and submitt themselves to tryell, howbeit it sould bring their heads under the axe. At last, according to their commouning in the last conference, they came in before the Assemblie, and layed down their generall ministrie at the feete of the Assemblie, to the end that the work of the divisioun of the toun in quarters might succeed. Tyme did not suffer the Assemblie to proceed farther in that mater, and, therefore, it was committed to the commissioners of the Generall Assemblie. The commissioners meeting at St Andrewes in Julie, least they sould draw upon themselves the displeasure of the godlie, by the displacing of Mr David Blacke and Mr Robert Wallace, agreed, and moved the king to consent, that they sould continue in their generall ministrie in Edinburgh, as before, till the divisioun in quarters, and collegues to fill the places might be had.

THE POPISH ERLES RELAXED.

In the beginning of August the Erles of Angus, Huntlie, and Erroll, were relaxed from the horne, by sound of trumpet, at the Croce of Edinburgh, and proclamed the king's free lieges.

AN EARTHQUAKE AND THE PEST.

About the same tyme there was an earthquake, which made all the north parts of Scotland to tremble; Kintaill, Rosse, Cromartie, Marr, Braidalban, etc., betuixt eight and nyne in the morning, upon the 23d of Julie. A man in St Johnstoun laying compts with his compters, the compters lappe off the boord, the man's thighes trembled; one leg went up, and another doun. There is mentioun made of an earthquake in the dayes of Uzziah, who usurped the preestlie office, and went in to the temple, to offer incense at the golden altar. The pest infected sindrie parts about Edinburgh, so that manie fled out of the toun. A fast continued from the seventh of August till the end of the harvest, in Edinburgh, atwhich time the pest ceassed. The ministers conforted the people. So they were restored to them in a seasonable tyme.

JOCKUPALAND'S LETTER.

Heere followeth a letter writtin by one favouring the sinceritie of religioun, to the commissioners of the Generall Assemblie, in the name of Jockupaland, and dated the 10th of August.

"*To the late Commissioners of the Kirk, chosin by his Majestie for disordering things ecclesiasticall, Jockupaland, in name of the Commouns, wisheth greater grace, and lesse witt.*

"Being moved, greatlie beloved in the Lord Jesus, in respect of

the great slander arisin in this countrie, concerning your proceedings since the acceptatioun of your commissionarie, appointed by his Majestie for taiking order in things ecclesiasticall, als weill in doctrine as in discipline in the Kirk of Scotland, we, the poore laicks and commouns of this countrie, cannot but seeke to be resolved in things alledged upon you, as also appearand to us to be true. The which things doe shake our faith, as it were; for which faith, in that respect, ye must be answerable, if it be slander justlie givin by you; and if it be by us tane unjustlie, lett us be satisfied by your resolutioun, that alwayes, according to your callings, yee may winne us to Christ, after the exemple of St Paul; who, as we are instructed, and have beene by you instructed, absteaned from manie things for offending of the weake ones, which otherwise were to him lawfull; muche more yee, from things unlawfull, for our weakenesse caus, as we alledge.

"But to our purpose. We beseeke you, brethrein, according to your doctrine delivered to us these manie yeeres bygane, that yee godlie and wiselie consider how farre Satan has prevailed over you in your callings, who not onlie has made you to winke, as it were, at sinne, in men's persons, but also to lay, as it were, the foundation wheron to big up sinne without controlment, much lesse anie punishment. Beloved, and sometyme reverend in the Lord Jesus, I doubt not but yee know by the space of manie yeeres bygane, religioun in this countrie has beene shott at, directlie and indirectlie, by the civill magistrats within this countrie; from tyme to tyme, to have been impaired and cutt short of the libertie therof, according to the institutioun of God in Christ Jesus his Sonne, and onlie Head of his Kirk, as we are informed; till now, that we heare that yee have made his Majestie Head of the Kirk within this countrie; which, as yee have instructed us, apperteanes not unto him, except yee lett us understand more than Christ hath shewed unto us, who commandeth to give that unto Cæsar which apperteaneth unto him, and no more. But yee, through your gentle wisdom and love to his Majestie, have givin him more. God grant that this your gentle wisdome and love to his Majestie turne not

to hatred and follie, in the one or both parteis. And now, my brethrein, we alledge the same course against the kirk in this countrie is begunne to be putt to executioun, and that not onlie through and by your presence, but by your plaine deid and ratificatioun as yitt. Alace for pitie, and woe to us, the poore weake ones, upon whom the latter and dangerous dayes are fallin, whose faith, libertie, and standing in Christ, is shaikin as it were, and brought to nought; for the great lights are dazelled and made dimme, and the starres fallin from heaven!

"But, to our purpose, concerning the shott against the Kirk of God in Scotland. The king's Majestie, in the 1595 yeere of God, after long advisement, consultatioun, and deliberatioun of his honorable counsell, altogether carnallie affected, (by all likelihood,) beganne to sett in order the queene's effaires, honouring her Majestie as the weaker vessell; nixt, his Majestie's effaires, als weill concerning the governement of the countrie as his Majestie's patrimonie, and that by the number of eight wise and politick, (I doubt not in their owne kinde,) by whose counsell and deliberatioun has he chosin you, his Majestie's commissioners, by whose meanes they are to putt in order or disorder things in ecclesiasticall estate, als weill in doctrine as policie and discipline: and as concerning your proceedings in your callings, we esteeme, that although the first commissioners concerning temporall effaires were created before you, surelie yee have gone farre before them in pleasing his Majestie's evill tempered humour in your callings, more than they have done his Majestie concerning their callings. For ever since the tyme of their creatioun, they indeid have beene laying platts and devices against the Kirk of God in this land; but yee, indeid, since your last creatioun, have quicklie putt in executioun things of them long looked for. Sua that we esteeme, that the first commissioners, in all their tyme, have not done so great hurt to the civill governement in this land as yee, in your shorter tyme, have done against the kingdome of Christ Jesus.

"Now, to come to the particulars concerning your proceedings, there are two or three things which we desire to be satisfied of,

and which we heare to be manifest iniquitie. Of the which two or three things there are two but small maters; and yitt, we have heard you say and affirme them to be something before God. And if we * * * and as we remember yee shew us, that they were things muche sett by in the presence of God; to witt, to free the wicked from bonds, and to condemne the innocent. And surelie, my brethrein, if this be true, as is alledged, yee have stopped a low stop by the way at your first beginning; if not true, lett us be satisfied by your answere and just purgatioun. And now, my brethrein, before I expresse anie particulars, I thinke it not needlesse to purge myself of all particular affectioun or partialitie whatsomever, but as an indifferent persoun, seeking to be resolved in maters doubtfull unto us. And for myself, who write this rusticall letter unto you, a man of meane estat and calling, yea, of the meanest and poorest estat of all the countrie, one of the commouns, I protest before God, and unto you to whom I write, and for whose weale I write, that concerning the parteis of whom I am to speeke, I am free of particular affectioun to the one or to the other; nather doe I esteeme of their persons, but according to their doctrine and conversatioun in the Lord's worke, allowing and disallowing in Christ, and for Christ's caus.

"Now to our particular: First, I desire, my brethrein, to understand by what warrant yee did repose Mr Johne Rutherfurde, who not onlie, as we alledge, merited by you to be deposed rather, but also, farther, we esteeme, and not onlie we who are meane in knowledge, but the best in knowledge and godlie understanding in all the countrie, that yee sould rather have cast him out of the kirk, and also out of the societie of God's people for a tyme, untill it had pleased God to have shewed better tokins of repentance, humiliatioun, and amendiment, nor yee saw before yee reposed him? Weill, weill, my brethrein, I feare that the healing of suche untented and undercoatted wounds sall come to a feister, if it be not the more wiselie and godlie prevented; which God of his mercie grant. And, my brethrein, I appeale you before God and his holie angells, in whose presence all men's consciences sall be opened

and made manifest, where no worldlie excuses nor pretences sall be admitted, nather anie policie of princes, nor for princes allowed, if anie of you darre say in a good conscience, that before yee admitted that man again to beare office in the kirk of God, yee saw in him good and just causes whereby yee might, in a good conscience, justlie admitt him; or if yee did it partlie upon appearand repentance, (wherof yee had no sufficient proofe,) and partlie for his Majestie's earnest sute. Examine, I say, your consciences, my brethrein, heerin; for it may be that this mater draw deeper nor yee have happilie yitt considered. Bewar, my brethrein, for hall binkes are slidrie. It feares me sore that yee sall losse that good and high commendatioun which your brother, of most famous and godlie memorie amongst the godlie, sometimes gott, and that of the most politick prince for the tyme, bearing his Majestie's person; who, after long dealing with him, as yee have beene dealt with, that he would but temporize in maters of religioun and discipline, yea, in maters of lesse importance than these wherin yee are faine to temporize; who not onlie refused that noble prince, but also, most valiant in the caus of Christ, withstood him to his face, and dissallowed also of manie of his brethrein for the tyme, according to their and your fleshlie wisdome, I doubt not to him no small greefe; yitt God was with him, who, according to his faith and single eye, made him to prevail. And by this strait dealing and warre with princes (as it were) to establishe the kirk of God in greater libertie, quietnesse, and peace, and he himself died in peace, and made a godlie and blessed end. After whose funeralls, the self-same prince was forced, at his grave and sepulture, before a famous and frequent auditor, to say, 'There lyeth thou, Johne Knox, who never feared flesh.' I doubt not, my brethrein, but yee all know and will confesse, as I have heard some of you, that Johne Knox was wise in God. But yee appeare to be wise; without God, or in God, I darre not judge. But one thing I darre say and affirme, that in this mater concerning Mr Johne Rutherfurde, yee have not walked in the spirit of Elias, nather according to the uprightnesse of the said Johne Knox, whose uprightnesse yee have not followed,

and whose praise ye sall justly laike, without speedie amendiment; which God of his mercie grant. Thus, my brethrein, yee have putt the wicked free, as we alledge; yea, I say farther, my brethrein, if there be no farther humiliatioun, repentance, amendiment, and reconciliation to his godlie brethrein, against whome he hath offended, (by and attour the offence of the weake ones,) nor yitt there is, he sall be found a worse instrument in the Kirk of Scotland nor ever the Bishop of St Andrewes was, whose doings, I doubt not, yee have disallowed.

"Now, to come to the secund, concerning the condemning of the innocent: I pray you what just caus had yee against your brethrein of St Andrewes, the ministers there, that yee have so suddanlie putt them from their charges without due or just tryell, or mater of just suspensioun, deprivatioun, or out-putting from their lawfull calling, and have thrust in upon their flockes a man corrupt, and not meete for that congregatioun, as we alledge? Darre anie of you, in anie good and upright conscience, say and affirme before God and his kirk, being freelie conveenned together to a Generall Assemblie, (as I hope in God yitt one day to see you,) that these men, whom yee have putt from their charges and lawfull callings, are of meaner graces and lesse gifts to worke the Lord's worke in that congregatioun nor the man whom yee have thrust in upon the same; or thinke yee, my brethrein, that that man whom yee have intrused, by his cold forme of doctrine, without applicatioun, (which is the life of the Word,) is abler to worke the Lord's worke there, nor the men whose travells and diligence in their callings, they say, might have beene compared with the best of you, except they were not tractable unto princes, nather were they weill acquainted with *Placebo?* My brethrein, looke that it faire not with you as it foore with the sonnes of Jacob concerning their brother Joseph, who, for the graces of God in him, and greater affectioun toward him of his father, could not abide him, nather would they suffer him to abide in his father's hous, which was the kirk of God for the tyme, but spoiled him of his partie-coloured coat, the cognizance and badge of his father's greater affection and

love towards him; but more speciallie becaus of the oracle of God reveeled unto him concerning things to come to his kirk, they were the more incensed against him, concluding to kill him; but after letted by the instrument of God, Reuben, they cast him in a pitt, and after sold him to the Ismaelits, who caried him to Egypt; where after the kirk of God receaved by him great confort, and things spokin by him were putt in executioun, not one jote of them falling to the ground, although, in the tyme when he spake it, it was esteemed to be mere follie, and that by the verie members of the kirk for the tyme. I darre not compare these poore men with Joseph, nather you with his brethrein; muche lesse the king's Majestie with Jacob. For, I remember, Jacob, when Joseph reveeled his last dreame unto him, he could not abide it, becaus it tuiched himself neerelie; yitt the text sayeth, he 'layed up the sayings in his heart.' One thing I must marke, by the way, my brethrein; I see, at the declairing of the first dreame to Jacob, he is not moved; but when he heares the last dreame, which concernes himself in some part, he could not away with it. All the generalls are good. But Joseph would not conceale the mater for no worldlie respect, although there was mater in it to craib his father. Consider of this geare, I pray you, my brethrein. It may be that these men have als much of the counsell of God as anie of you, and be als familiar with God also as the best of you. Lett them not, therefore, be despised in your sight, becaus of the graces of God in them. Take not away from them that parti-coloured coat, the cognizance and tokin of their father's love towards them; (I meane the heavenly Jacob and Father.) Send them not doun to Egypt, for I am perswaded in my conscience that a word uttered by these men from the pulpit of St Andrewes, that chaire of veritie, sall not fall to the ground, but sall be accomplished in the Lord's owne tyme, as God sall choose it meetest. And, moreover, I am perswaded that our eyes living this day into Scotland sall see the performance therof. Take tent to this geare, my brethrein. It may be that the best of you sall be forced to seeke of them ather corporall or spirituall foode. I say yitt againe, my brethrein, heer-

after comes not yitt; but when yee sall be crossed in your wayes, and perchance, who can tell, may find your money in your secks' mouthes, and yee be accused unjustlie, not being acquainted with the judge of the land, then sall your conscience beginne to wakin, and to pricke you sharpelie; then sall yee be compelled to say, 'This is justlie come upon us, becaus we would not heare our brother Joseph in his afflictioun.' My brethrein, I pray you compt over againe.

"Thridlie, my brethrein, we would understand, by what good warrant in Scripture, or humane example out of the Scripture, yee have made our king's Majestie head in the kirk within this countrie, that he sould judge of doctrine, or impose and depose at his pleasure to places or from places; placing some in places uncalled by God, and displacing others from places whereto they have beene lawfullie called by God; and charging or discharging presbytereis, and persons of presbytereis untryed or convicted, if they ought justlie to have beene discharged or not? And most, we mervell concerning the discharging of the students and young men of the New Colledge, who, as we alledge, ought speciallie to be there, that they may learne of the rest of the presbyterie, both in maters of doctrine and discipline, how to behave themselves. As concerning the discharging of Mr Andrew Melvill, Mr Johne Johnestoun, Mr Patrik Melvill, and the rest of that sort, (daft, precise men, who, although God have more nor anie king or kings, cannot suffer kings to borrow from him; greedie men of God's geir, of fierie humours, enemeis to monarcheis, and seditious persons, as courteours terme them; who can tell if all may be sealed that they say?) as for these men, I know them not weill. But we heare say heereabout of them, that these men, whom they so terme, are als upright with God (whose commissioners they are) as anie in this land, yea, the king's commissioners not excepted, whom some call his Majestie's led horse, when his Majestie rydeth in the effaires ecclesiasticall. And sure, men call you worse, which at this tyme I will not expresse, till I heare your answere and purgatioun of the things above writtin; which, if yee faile, I will tell you a taile that

yee have not yitt heard. And farther, my brethrein, concerning these men, they say, that in God they love his Majestie als weill as anie of his commissioners doe; and some say, that if they were putt to the prooffe concerning true love to his Majestie, they sould be found the most faithfull subjects his Majestie has in this land, as sometymes his Majestie has esteemed of some of them: and it is esteemed by the godlie, that these men sall dee in peace, ceasse from their labours, and their workes sall follow them, to their great praise and high commendatioun. I remember, my brethrein, of a sermon made in the Little Kirk of Edinburgh, by one of your brethrein; and I remember he said, speeking by way of suppositioun, 'Suppone,' said he, 'the king's Majestie of this countrie were dead, and could live againe a yeere or two therafter, and sould heare the things that sould be spokin and writtin of him, it would breake his heart.' My brethrein, if he were to preache the same over againe, he sould say the same of you, his commissioners: fy! my brethrein, that yee have made so little resistance to suche an evill course. I remember, that I heard some of you say, that Johne the Baptist would not suffer Herod to have his brother Philip's wife, but cryed out against him, and so suffered imprissonment, and after was beheaded. But, my brethrein, they say that yee have winked at greater maters, and have not resisted unto imprissonment, lett be to give your head for the testimonie unto the truthe, and resisting of sinne. I am perswaded, my brethrein, that if yee had resisted lawfullie unto our Christian prince, as Johne did unto this heathen king, his Majestie had beene winne er now to have submitted himself to Christ's kingdom alwayes, and yee had beene approved of God and man; and religioun in this countrie had floorished better, and in greater libertie and freedom, than in anie countrie under heaven this day. But, alas! my brethrein, yee have suffered, and not onlie suffered, but admitted our king to slippe in upon the Lord's marches and bounds, the which, I feare, he sal not onlie be laith to part with again, but I feare he sall seeke farther dominioun in it. It had beene easier, my brethrein, to hold out nor to putt out. Consider what I speeke, my brethrein, and

the Lord give you understanding. If his Majestie continue in this evill course, which God forbid, I feare that he perish therin, but his blood will be required at your hands. Lett me be satisfied in this one simple requeist, and I will end this long rusticall letter, I doubt not tedious unto you, by reason of the informalitie heerof. But everie man is like his craft, schollars as schollars, and rusticks as rusticalls. But to the purpose: seing, my brethrein, that yee have his Majestie's eare at this tyme, and we can gett no accesse unto his Majestie, these few lynes shew unto his Majestie in our name.

"Seing the cace so stands, we, the poore commouns of this countrie, perceaving his Majestie, the Kirk of God, and the commoun-weale of this land, to be in great danger, and none to pitie the same, and the danger so muche the more at this tyme, as before this tyme things were under hope, but now are past hope: for before, wicked men were travelling by all meanes, directlie and indirectlie, to putt doun religioun in this countrie, and the professors therof; but, praised be God for it, to this tyme, have they beene gratiouslie espyed, and mightilie withstood: and, my brethrein, I cannot lett it passe by, they say, that by the same men that now are most odious to his Majestie, the Melvills, Johnestoun, Blacke, and Wallace, and the rest of them. But now, my brethrein, hath the devill violentlie brokin into the kirk in this land, and hath tane out of their owne a wand to ding themselves with. And now, my brethrein, seing it is come to this hight, that it is come to manifest persecutioun, there is nothing to be looked for, say we, but one of two things; that is, ather speedie repentance and amendiment, or ellis speedie and great overthrow and confusioun of king, kirk, and commoun weale. I pray you, lett his Majestie understand, that the standing of religioun within this countrie, and his Majestie's standing, are inseparablie conjoynned. Show his Majestie that it may not goe this way. For we, the commouns of this countrie of Scotland, his Majestie's subjects in God, having nothing before our eyes but the glorie of God, the weale and standing of his Majestie, and commoun weale within the countrie, before we traterouslie suffer his Majestie thus to be abused by the devill and his

instruments in this land, we sall, God willing, withstand the same by all meanes possible. And if his Majestie insist anie farther in this evill course against the kirk of God, by stopping of their mouthes as it were; before we suffer this, I say, we sall, God willing, lett them that have the wyte of this geare in this land see manie rousted sword and reeked axe, that thir new come fellows never yett saw, nather never have they yitt considered, what it is to draw a king from God's obedience in anie cace, and so to alienat his subjects' hearts from him, without which he cannot be a king. But lett them be assured, before we suffer this, we will putt it in God's hand, and rather choose to be alledged tratours to them, nor tratours to God and his Majestie both. For it appeares to us, that these inchanters have, as it were, bewitched his Majestie; for it seemeth strange to us, that a Christian prince, weill brought up, in whom God has shewed so manie good gifts and graces, sould be so drawin away by suche devill's limmes, Papists, Athiests, and licentious men, from whose hands, if it were with the effusioun of all our blood, by God's grace, we thinke to have his Majestie. After the which tyme, I doubt not, but his Majestie will thinke it good service; and it may be, my brethrein, that God may blesse the worke in our hands, of the which I doubt no way; becaus our eye is single, and our heart is upright, so manie, I meane, as we thinke to imploy in this worke; for we trow, that the God of Gideon be yitt living.

"And I pray you, my brethrein, shew his Majestie that there is no caus in us whereby his Majestie sould suspect us, that we usurpe his kingdom in anie point, as he, in some measure, has done the kingdome of Christ. Nather lett his Majestie thinke that we are instigated by anie person or persons. I doubt not but some of the devill's limmes about his Majestie, by whom his Majestie is bewitched, will so say. But they resemble the devill, their maister, in that point, who speekes not the truthe. And although so were, my brethrein, (as God knowes the contrare,) show his Majestie, that it were but sinne punished with sinne, and man by his owne iniquitie. But we protest before God, that nather minister,

ministers, nor ministrie, nather lord, lords, barons, nor baron, has instigated us, moved, nor desired us. But, indeid, my brethrein, we, God willing, sall instigat, move, or stirre up, of all thir estats fearing God, to concurre with us, for the safeguarde of his Majestie, who stands in so great danger of the enemeis of God, and his Majestie's enemeis also; although yitt his Majestie has not rightlie apprehended their inimitie. And show his Majestie, that we think ourselves no farther bound to his Majestie than his Majestie is bound to Jesus Christ. And as his Majestie's heart is alienated from the right obedience of Jesus Christ, so are our hearts alienated, and for God's caus and the true religioun changed from his Majestie and his due obedience: for if his Majestie had beene als good and loving a prince unto us, as Jesus Christ has beene to his Majestie, we would have beene readie to have pulled out our eyes for his Majestie's pleasure. But to the effect his Majestie may understand we seeke his Majestie to God with a single ey, and upright heart to his Majestie's weale and standing, show his Majestie this farre; that if his Majestie will suffer to conveene together the Kirk of Scotland, with some of the weill affected subjects to God and his Majestie, to concurre with them, and at their sight putt in order things disordered by his Majestie within the same, and by wicked counsellers concerning that part, and after the convocatioun of a lawfull and frequent parliament, ratifie and confirme the acts of the said Assemblie, and putt from his Majestie's counsell Papists and atheists, not seeking his Majestie's standing, but their owne; and I, my brethrein, who am the writter of this rusticall letter, sall expresse my name, and putt myself in his Majestie's will; and if that after I may have his Majestie's eare uncorrupt, to speeke unto his Majestie for myself in this mater, after the which, if his Majestie accompt me to have done wrong, I sall willinglie suffer for it. But I doubt not his Majestie sall rightlie construct my upright meaning to his Majestie and the honour of God, for the which, I thinke, I durst lay doun my life. And to the conditioun that things were putt in order, as I have said, wherethrough his Majestie might againe recover the gracious fame and bruite of

his Majestie's subjects in this land, and the high commendatioun of the godlie everie where, I would I had layed doun my life this night before the morne. Would to God his Majestie would rightlie consider, betuixt the gracious commendatioun of his Majestie, before this evill course come to light, and the evill bruites and outcryes now of the pure ones in God, and all the godlie. But, my brethrein, if so be, (as God forbid,) that, after this poore admonitioun, his Majestie will not take order, but insist in this wicked course, according to the evill dispositioun of his present wicked counsell, we will be forced by proofe to lett his Majestie understand what it is justlie to tyne the hearts of his subjects weill affected to his Majestie in God. And I pray you to show these profane counsellers, who are not onlie unworthie to beare rule in a Christian commoun weale, under a Christian prince, but also are unworthie of his Majestie's presence, (I meane Setoun, Lindsay, Hammiltoun, Elphinstoun, Hume, Sanquhare, Livingstoun, and the rest of that wicked band,) that it may be that we caus some of their owne long speares and rustie staves knapp their owne crownes.

" What, my brethrein ! sall we suffer mischeantlie to see our owne lawfull prince, as it were, murthered, and none to pitie it, nather in kirk nor commounweale; and a prince, my brethrein, I must say, upon whom God has bestowed great gifts and graces, as knowledge, wisdom, eloquence, and humilitie, great gifts to be in a prince, and yitt all smoored doun and darkenned by the shadow of the wicked, which the Lord of his mercie amend ?

" Thus, my brethrein, looking for amendiment in things amisse in your owne persons, require the amendiment of things in his Majestie's person and counsell, which may bring things yitt to a good fyne and end. And, looking for your answere in God, according to this my letter in all points, I will now leave to trouble you with farther writting, till farther occasioun in God ; to whose protectioun and spirit of righteous judgement I committ you. From the place of my abode, the 10th of August, *anno* 1597 yeeres.

" I have continued and putt off, my brethrein, to paint out everie one of you, his Majestie's commissiouners, temporall and ecclesias-

ticall, in your owne colours, especiallie the ravening gled now in St Andrewes: looking for your most diligent travells for the performing of all the premisses in yourself, as in others, to whom it effeirs. Of the which, if yee disappoint my good expectation, I sall, God willing, show you more of my minde, little to your contentment, and that justlie. Fairweill."

A PARLIAMENT.

Upon the 13th of December, the king came ryding up to the Tolbuith of Edinburgh to hold a parliament; and the honours were borne before him, the Erle of Cassils bearing the crowne, the Erle of Marr the sceptre, the Erle of Sutherland the sword. After the king entered in the Tolbuith, the Lyoun Herald, with the rest of his brethrein and some trumpetters, came from the Tolbuith to the Croce of Edinburgh, and proclaimed the restauratioun of the Erles of Huntlie, Erroll, and Angus, with their complices, to their livings, honours, and digniteis, and sett up their names againe upon standards.

At this parliament, the Castell of Dumbartane was taikin from the Lord Hammiltoun, and givin to the duke; in recompense wherof, the Abbacie of Arbroth was erected in a temporall lordship to the Lord Hammiltoun and his heyres. Thomas Foulles, goldsmith, was made collector of the customes, and maister of the imposts, and treasurer, and that becaus the king was in his debt.

VOTE IN PARLIAMENT GRANTED TO THE KIRK.

An entrie was made at this parliament, for erectioun of bishops. The mater was brought about after this maner: The commissioners of the Generall Assemblie, in name of the kirk, gave up a petitioun for ministers to vote in parliament. They thought they had sufficient warrant, becaus it had beene oftin and almost at everie parliament compleaned, that none sat and voted in parliament in name of the kirk, nather bearing office in the kirk, nor having commissioun. The abbots, pryours, Lords of Sessioun, and suche of the nobilitie as they drew to assist them, were against [it.] Yitt,

by earnest dealing of the king, who had promised muche good to be done to the kirk at that parliament, they condescend and agree that so manie of the ministrie as his Majestie sould promove heerafter to the dignitie, office, place, and title of prelacie, bishop, abbot, or other, sall have vote in parliament als freelie as anie other ecclesiasticall prelat had in anie tyme bygane. This, forsuith! was the great benefite obteaned for the kirk at that parliament, when the Popish erles were restored, for the which it behoved the kirk to receave them in favour. The kirk had lyin long under contempt and povertie, say they, and this was the onlie way to amend it: That some of the godliest and wisest of the ministrie may be chosin to sitt upon the counsell of the realme, at the conventioun of estats, and highest court of parliament, where they may reasoun and vote in their owne causes, and recall the kirk living; and not stand at the doore, giving in papers of petitiouns, and yitt skarse gett a faire answere, when they had waited on manie dayes. So the commissioners of the Generall Assemblie, without anie advice or directioun from the Generall Assemblie, beside the bounds of their commissioun, pretending the weale of the kirk, preferred this petitioun. The estats of parliament, indeid, thought that no honest man in the ministrie would take upon him suche titles, and therefore thought themselves secure of their offer; for the force and tenour of their doctrine had sounded manie yeeres against these offices and titles.

The tenour of the Act of Parliament heere followeth:

"Our Soverane Lord, and his Honorable Estats in Parliament, having speciall consideration and regaird of the great priviledges and immuniteis granted by his Hienesse' predecessors, of most worthie memorie, to the Holie Kirk within this realme, and to the speciall persons exercing the offices, titles, and digniteis of prelaceis within the same: Which persons have ever represented one of the estats of this realme, in all conventiouns of the saids estats; and that the saids priviledges and freedoms have beene, from tyme to tyme, renewed and conserved in the same integritie and con-

ditioun wherin they were at anie tyme of before, so that his Majestie, acknowledging the samine now to be fallin, and become under his Majestie's most favourable protectioun: Therefore, his Majestie, of his great zeale and singular affectioun, which he alwayes has to the advancement of the true religion, presentlie professed within this realme, with advice and consent of his honourable estats, statuts, decernes, and declares, that the kirk within this realme, wherin the same religioun is professed, is the true and holie kirk; and that suche pastors and ministers within the same, as at anie tyme his Majestie sall please to provide to the office, place, title, and dignitie of a bishop, abbot, or other prelat, sall at all tyme heerafter have vote in parliament, siclyke and als freelie as anie other ecclesiasticall prelat had at anie tyme bygane; and als, declares that all and whatsomever bishopricks presently vaiking in his Highnesse' hands, which as yitt are undispouned to anie person, or which sall happin at anie tyme heerafter to vaike, sall be onlie disponed by his Majestie to actuall preachers and ministers in the kirk, or to suche other persons as sall be found apt and qualified to use and exercise the office and functioun of a minister and preacher; and who, in their provisiouns to the said bishopricks, sall accept in and upon them to be actuall pastors and ministers, and according thereto sall practise and exerce the same therafter.

"*Item*, As concerning the office of the said persons to be provided to the said bishopricks in their spirituall policie and governement in the kirk, the estats of parliament have remitted, and remitt the same to the king's Majestie, to be advised, consulted, and agreed upon by his Highnesse, with the Generall Assemblie of the ministers, at suche tymes as his Majestie sall thinke expedient to treate with them therupon, but prejudice alwise in the meane tyme of the jurisdictioun and discipline of the kirk, established by acts of parliament made in anie tyme preceeding, and permitted by the said acts to all Generall and Provinciall Assembleis, and others whatsomever presbytereis and sessiouns of the kirk."

A GENERALL ASSEMBLIE INDICTED.

After that the commissioners of the Generall Assemblie had obteaned this act, they appoint a Generall Assemblie to be holdin in Marche following, and sent their missives to the presbytereis. The tenour of the missive sent to the Presbyterie of Hadintoun heere followeth:—

"*Grace and Peace from God, the Father of our Lord Jesus Christ.*

"BELOVED BRETHREIN,—As we have found continuance of mercie, in staying the desolatioun which was alreadie begunne, according to manie threatnings against the contempt of this land, so we see, through laike of due consideratioun and foresight, in suche as principallie sould have the most tender care of this worke, and partlie through the subtile wayes of dissembling freinds, good occasiouns are likelie to be turned to our hurt, unlesse remeed be wiselie provided in tyme: For this caus, we have thought it needfull, and by consent of his Majestie concluded, that the Generall Assemblie, which was ordeaned to be in May, sould hold the first Tuisday of Marche nixt, at Dundie, for preventing of inconveniences that delay of tyme might draw to farther evill, and for taiking of solide resolutioun in suche things as are necessarie to be deliberated upon, concerning the kirk's vote in parliament; and some other necessarie points, wheranent, for your better informatioun, we have thought expedient to acquaint you with the effect of our travells heere at this tyme.

"According as it has beene the continuall custome of the kirk at parliaments, to crave suche things as were found necessarie to passe in lawes for their weale and priviledges, so, with advice of diverse commissioners of presbytereis, we found it requisite to insist in suche articles as have beene craved of the kirk, at parliaments in tymes bypast; and, namelie, we urged the article anent the kirk's vote in parliament, and the article anent the uni-

versall provisioun of the whole kirks with stipends. In both we found great oppositioun, by the farre greatest part of the lords; but the king's Majestie convoyed our sutes, with suche wisdome and dexteritie in our favours, that in end, after manie hard answeres, his Majestie procured, that he might dispone the whole great benefices to ministers, and that suche ministers as sould be admitted thereto sould have vote, but prejudice alwise to the present discipline and jurisdictioun of the kirk in anie point; as yee will understand by the act itself, wherof we have sent you heere a copie, which his Majestie thinkes sall be a meane, in short tyme, to vindicat the ministrie from their present contempt and povertie. And this is alreadie perceaved by manie, to their greefe, who fears their hurt in our credit. For this caus, we have beene earnestlie requested by sindrie of the wisest in all estats, who most favour the good caus, that without scruple we sould accept this good occasioun: the which point of present acceptatioun was urged by the lords so straitlie, that unlesse we would presentlie give our consent thereto, in name of the kirk, they would not suffer the foresaid act to passe in our favours. Yitt his Majestie was so favourable toward us, and so carefull to save our credit and eshew offence, that, by his moyen, all is reserved free to this Assemblie for our part: Therefore, we beseeke you, brethrein, to have a regard heerof, with suche wisdom and care, as is necessarie in a mater of so great importance, and send in commissioun to the said Assemblie, the most wise, grave, and of best credite and experience among you, so farre as infirmitie and age may suffer, that good occasioun may be used at this tyme, as that the good may be taikin without anie hurt, so farre as it is possible.

"Anent the platt, and provisioun of stipends at everie kirk, commissioun is givin to a number of lords and ministers, who are to assay that worke with all diligence, and to crave your further helpe in the informatioun anent the estate of the kirks, which, therefore, ye sall take paines to have in readinesse, as yee sall be required, upon the nixt advertisement. The Lord direct you in all since-

ritie and wisdom, that yee may find a blessing upon your labours alwayes.

"From Edinburgh, the 22d day of December, 1597.

"Your brethrein and fellow-labourers, the Commissioners of the Generall Assemblie; and in their name and command,

"Mr Robert Rollock,

"*Moderator of the Generall Assemblie.*"

This was an old point of policie, to bring in anie corruptioun, to putt the ministers in hope of augmentatioun of their stipends, which, in verie deid, made manie ministers, looking more to their bellie than to the glorie of God, and weale of his kirk, to yeeld to anie corrupt course.

All this winter, the king and queen remained in the Abbey, and came up to the toun sindrie tymes; dynned and supped in the ministers' houses behind the kirk. For the king keeped their houses in his owne hand, howbeit they were restored to their generall ministrie in Edinburgh.

M.D.XCVIII.

THOMAS FOULLES, PHRENETICK.

About the 17th of Januar, Thomas Foulles, goldsmith, fell in a phrenesie, becaus he was not able to satisfie his creditors for the debt he had contracted in furnishing the king. So his offices were taikin from him, and a precious jewell, called the H, which he had in pledge from the king. But a *supersedere* was granted to him, that his creditors trouble him not till the king payed him.

THE ENTRIE OF MR G. ROBERTSONE AND MR P. HEWATT.

In the beginning of Januar, there was muche bussinesse about choosing collegues to the foure ordinar ministers of Edinburgh. The king and commissioners would have had Mr Peter Hewat and Mr George Robertsone. Much oppositioun was made to them by the ministers, speciallie by Mr Robert Bruce, becaus they were too young to be placed in suche rowmes, and the people was likewise altogether unwilling to accept them. The ministers were sent for, to come before the commissioners sitting in the Neather Tolbuith, when the king was present. Mr Robert Rollock being moderator, declared, that their places were vacant, according to the dimissioun which was made at Dundie, and, therefore, it was his Majestie and the commissioners' will, that they sould everie one take them to the charge of a particular flocke within Edinburgh. Mr Robert Bruce answered, "Lett me know who sall be my collegue, and then I sall give a direct answere." Mr James Balfour answered almost to the same effect. Mr William Watsone and Mr Walter Balcalquall referred the choice of the men to themselves, as they would be answerable to God. The king said to Mr Robert, that he sould not know the men. "Then," said Mr Robert, "if that be your minde, fill the rowmes as yee please."

The commissioners, not content with this answere, directed Mr William Cowper and Mr George Gladestaines to Mr Robert, to assure him, that the other two, beside Mr George and Mr Peter, sould be at his nominatioun. Whereupon, Mr Robert sent to Mr Patrik Galloway to learne whether he might have Mr Patrik Simsone to be his collegue, or failing him, Mr Johne Hall; failing Mr Johne, William Aird; failing William Aird, Mr Adam Colt? But anie of the four were denied to him. The commissioners meeting in the East Kirk, after consultatioun, were content that Mr Robert sould continue in his generall ministrie till the Generall Assemblie, for the rest of the ministers had alreadie consented to accept a particular charge, and suche as they would joyne with them.

Within few dayes the king sent for Mr Robert, and willed him

ather to take on a particular charge, or to leave the toun. Mr Robert showed how the commissioners had givin him licence to continue till the Generall Assemblie. The king answered, he would not suffer that licence to be of anie valour, and willed him to be at a point instantlie. Mr Robert craved eight dayes to be advised. The king would give him but one day, which fell to be the presbyterie day.

Upon the presbyterie day, Mr Johne Hall layed to the charge of the three other ministers, that the two young men themselves, and the commissioners of the Generall Assemblie, affirmed constantlie that they had givin their consents alreadie, without Mr Robert's knowledge. They seemed to be verie angrie at this report, and said they would goe to the king, and affirme the contrarie. The brethrein of the presbyterie advised Mr Robert to accept, with protestatioun against the forme of their entrie. Mr Robert went doun to the king's palace, and did so. Then the commissioners urged the sessioun of the Kirk of Edinburgh to receave the two young men. It was answered, that they could not resolve till the other two collegues were heard. The commissioners refused to carie that answere to the king. It behoved, therefore, the ministers themselves to goe doun to the palace, and deliver the answere. The king said, None sould preache there, if they preached not. They answered, If his Majestie would needs have it done, they could not resist his will; but certanelie they would ever protest against the forme of their entrie. "Protest as yee will," said the king; "I will have it done." The nixt presbyterie day, at a meeting of some ministers of the presbyterie, afternoone, it was concluded that there sould be an act made in the bookes of sessioun, tuiching the proveist his oversight, that this forme of dealing prejudge not the kirk in tymes to come; and an act of counsell, after the same forme, registred in their bookes; and that the young men crave the approbatioun of the presbyterie by their bill, or otherwise that they be not suffered to enter.

The commissioners come to the sessioun of the kirk, desired the young men to be receaved; shewing themselves willing, if there

were anie deformitie in their entrie, to reforme it by advice of the presbyterie. The commissioners being removed, and the king's earnestnesse and their promise considered, Mr Robert Bruce was content they sould be receaved, but not till the conditioun was performed, and he had seene God's blessing upon their travells. The young men were called in, and the moderator declared the presbyterie's minde. Mr George Robertsone, one of the young men, answered, he was sorie that there sould be anie deformitie in his entrie, for that might be an occasioun of casting him furth afterward: so he craved the right hand of fellowship. The moderator gave him the hand. When he sought Mr Robert Bruce's, Mr Robert said, "Pardone me; I cannot doe it, till the conditioun be first performed, and that I have seene some arguments of God's blessing upon your travells: then yee sall have both heart and hand." Mr George starteth backe, goeth out of the kirk, and refuseth to accept. The rest of the ministers were offended, and alledged Mr Robert would cast all that worke loose, and bring in inconveniences upon them all. Mr Robert was so greeved at their speeches, that he removed, and said, It behoved him to be like Jonas that was cast out of the shippe. He went no sooner furth, but Mr George cometh in again to the sessioun, was receaved, and satt doun. Upon the presbyterie day following, when it was looked the conditioun sould have beene performed, the mater was agitated before noone. Mr Patrik Galloway brought with him a number of the Commissioners of the Generall Assemblie, afternoon. They caried away the mater by pluralitie of votes. It was concluded, that the inserting of their processe in the bookes of the sessioun and presbyterie sall be a sufficient reformatioun for that tyme. Mr Robert declaired, that if they would not reforme that worke otherwise, he would have no fellowship with that entrie. Mr Walter Balcalquall, that same night, at the desire of the young men, caused extract the decreit of the presbyterie, which they presented to the sessioun of the kirk the nixt sessioun day, wherupon they were both receaved, and satt doun. Therupon Mr Robert absteaned from the sessioun a certane space after.

Mr Robert Bruce had this meditatioun following, in this his exercise with the king, the commissioners, and his owne fellow labourers:—

"I am lost in verie great doubt. Upon the one hand, I am sorie to leave the childrein of God in the citie: I am sorie to want my exercise, that presence of God that sanctified me; and feared to incurre the bruite that I left my statioun, that I have givin over the battell, and putt up my sword. On the other side, again, I see this maner of entrie is not sanctified, but verie corrupt. I see no spirituall authoritie in them to beare out this worke; and if we sall accept of them at this tyme, I see a dangerous preparative established in this citie, to be a president for all the kirks of Scotland, and for all the kings that are to succeed our king, to doe the lyke. If I hold out, and accept not, my removing may be a ground another tyme to reforme the corruptioun. If I accept, I cannot see how it can be reformed in anie tyme heereafter. I like not to abide in their companie to whom I oppone, and gainsay in their entrie. Renting of actions followeth renting of hearts. Loath am I to be a spectator and beholder of suche a decay, that have seene the glorie of the former worke. What is most expedient, I am uncertane. But I am instant with His majestie, that in the light of his Spirit it may be givin me to see which of the two will please him best, that by his powerfull grace I may be resolved to follow the light: yea, I crave also, that he who has my heart and tongue in his hand may so governe both, that they cast me not in His majestie's disgrace; but that I may keepe his favour and his countenance, with the daylie growth of his inward grace, howbeit it were never so farre against my affectioun, bodilie ease, and outward commoditie. The Lord grant, for his Christ's sake."

A CONFERENCE BETWEEN THE KING AND MR J. DAVIDSONE.

Upon the 17th of Januar, Mr Johne Davidsone went doun to the palace, where he had conference with the king. First, he entered upon the restoring of the ministers' houses, wherunto he gott little

answere. Then he fell in upon the choosing of the new ministers. The people would have their priviledge, said Mr Johne, in that cace, and χειροτονια, wherof the Scripture speekes of. "There is nothing done against that," said the king, "for they had their place." "No, Sir," said Mr Johne, "the commissioners gave in others who were chosin, than they whom they gave in lyte, and so, they doing beside their commissioun, they were but privat men." "There were two leits, indeid," said his Majestie, "but the people hath no more adoe, but either to admitt, or ellis to give a reasonable caus of refusall." "Your giving them place to choose a leit prejudges that," said Mr Johne; "nather ought the order of subalterne sessiouns of the kirk to be pretermitted: and as for the people's consent, it is a substantiall part, which is not yitt." "Yes," sayes the king, "all of kirk and counsell have consented, except a five or six caprician heads, and some foolish weomen." "I know, Sir," said Mr Johne, "the whole multitude, in a maner, to be of another minde; and so, your Majestie is not rightlie informed in this mater. Julian the Apostat had a good saying." "What," said the king, "compare yee me to Julian the Apostat?" "No, Sir," said Mr Johne, "God forbid; but I take his speeche, as Augustine sayes, '*tanquam ab injusto possessore.*'" "What is it?" sayes the king. "He sayes," said Mr Johne, "*Nescit recte imperare equis bobus, etc., qui nihil concedat eorum voluntati.*" "That is a good sentence," sayes the king; and pausing a while, he said, "Mr Johne, take that sentence to yourself, for yee will give me none of my will." "Yes, Sir," said Mr Johne, "so farre as may be, and may doe you good."

"Thridlie," said Mr Johne, "I thinke it were wisdom for your Majestie to send for suche ministrie as yee thinke most backeward, and conferre with them familiarlie. And they being satisfied with your reasouns, and yee with theirs, it would both restraine your Majestie from doing things to irritat them, and make them to be of good opinioun toward your Majestie, which would breed great quietnesse." "Indeid," sayes the king, "that is a good counsell; would they come to me as yee doe now, they sould be welcome; but I

will send for none of them, for I have other things to doe." "Your sending," said Mr Johne, "would encourage them, where otherwise they darre not be bold." "Mr Johne," sayes the king, "when yee are with me, we agree verie weill; but in absence, what toyes take yee in your head, to speeke of me and my mother, I know not." "But I have not yitt entered into the ficks facks[1] of the mater," said Mr Johne. "What is that?" said the king. "I have some maters of great weight to impart unto your Majestie, if you might beare them at my hands, but I will not come to irritat your Majestie." "There is no reasoun," said the king, "that I sould be angrie at you, comming in so freindlie a maner, howbeit I thinke no prince giveth suche accesse to suche men." "Truelie," said Mr Johne, "I thinke it a benefite; but I would faine occasiouns of publict rebooke were taikin away, for I am to speeke as Moderator in the nixt synod." "I will give you my directioun," said the king, "that yee meddle nothing with the Generall Assembleis determinatiouns: if yee had beene at Dundie, yee would have approved all my proceedings." "I cannot tell," said Mr Johne; "but as for our synod, we have our bounds limited to us." "Five or six of you," said the king, "may talke privatlie among yourselves, but not so publictlie, for raising of schismes." "I trust," said Mr Johne, "your Majestie will not deny us the use of the priviledges granted to us by long custome, and the lawes of the realme." "Yee may raise schisme that way," said the king. "Not we," said Mr Johne, "yitt, *oportet hæreses esse, ut qui probati sint, manifesti fiant.*" "O, then, yee approve schismes and hereseis?" said the king. "It followeth not, Sir," said Mr Johne; "Woe be to them by whom offences come. They are good as they are of God, but evill as occasioned by men." "Weill," said the king, "doe as yee will;" and in disdaine went from him. Mr Johne pulled upon his gowne sleeve, and the king looked backe. "I wishe," said Mr Johne, "to be dismissed with favour." "God forbid ellis," said the king, "seing yee come to me after this maner." Mr Johne offered his simple and faithfull advice, as occasioun served. The king promised to

[1] Trifling and troublesome affairs.

caus Mr Patrik Galloway tell him when he was at leasure. Mr Johne, making him courtesie, and taking his leave, the king turned backe, and, taking him by the shoulder, said, "Mr Johne, yee sall be welcomer with me becaus yee are plaine."

THE SYNOD OF LOTHIANE.

In the Synodall Assemblie holdin at Edinburgh, in the end of Februar, there was muche disputatioun upon the kirk's vote in parliament. At lenth the sincerest sort prevailed. The ministers of Edinburgh were ordeaned to continue in their places till the Generall Assemblie.

A SYNOD OF FIFE.

Sir Patrik Murrey was directed from the king to the Synod of Fife, holdin in the same moneth of Februar. A letter directed from the commissioners of the Generall Assemblie was presented, together with the last act of parliament, concerning the vote of ministers provided to the office, place, title, or dignitie of bishops, abbots, pryours, etc., to have vote in parliament. They showed in their letter how hardlie it had beene obteaned by the king's great paines and authoritie, and what commoditie the kirk might reape thereby.

The questioun was propounded, if it were expedient and profitable to the kirk that the ministers sould have vote in parliament, for and in name of the kirk. The greatest number of the brethrein seemed to inclyne to the affirmative part. Therefore, Mr James Melvill discovered unto them the mysterie of it, to the great miscontentment of the king's commissioners. He showed unto them, that it being once found profitable and expedient that ministers sould vote in parliament, it behoved these ministers to be bishops and prelats, or ellis they would not be admitted to vote; and so they sould build up that which they had beene destroying all their dayes. Mr Andrew Melvill insisted upon the same point. Mr

Thomas Buchanan taketh him roundlie, saying, he sould not have place in the Assemblie; meaning, by reasoun of the act the king and commissioners of the Generall Assemblie had made at the visitatioun of the universitie, debarring the maisters, namelie, of Theologie, from the Assemblie. Mr Andrew answered, "It hath beene my professioun to solve questiouns out of the Word, to reasoun, vote, and moderat in Assembleis, when yours was to teache the grammar rules." David Fergusone, the eldest minister at that tyme in Scotland, related how the corruptiouns of that office of bishops had beene espyed by the Kirk of Scotland from the beginning; what paines had beene taikin, both in doctrine from pulpits and in Assembleis, for purging and utter removing of them: that now he perceaved a purpose to erect them of new, convoyed after suche a maner, as he could compare the convoyers to nothing better than to that which the Grecians used for the overthrow of the ancient citie and toun of Troy: busking up a brave horse, and by a craftie Sinon perswading them to plucke doun the walls with their owne hands, to receave that in for their honour and weelefare, which served for their utter wracke and destructioun. Therefore, he would, with the two brethrein that had givin good wairning, cry, "*Equo ne credite, Teucri!*" Mr Johne Davidsone being present, among other speeches he had, said mirrilie, "Busk, busk, buske him als bonilie as yee can, and bring him in als fairlie as yee will, we see him weill eneugh; we see the hornes of his mytre."

A FEAREFULL ECLIPSE.

Upon Saturday, the 25th of Februar, betuixt nyne and tenne houres before noone, beganne a fearefull eclipse, which continued about two houres. The whole face of the sunne seemed to be covered and darkenned about half a quarter of an houre in suche measure that none could see to reade on a booke. The starres appeared in the firmament. Sea, land, and aire, was still, and strucken dead as it were. The ravens and fowles flocking together mourned exceedinglie in their kinde. Great multitudes of paddockes ranne

together, making an uncouth and hideous noise; men and weomen were astonished, as if the day of judgement had beene comming. Some weomen swooned. The streets of Edinburgh were full of cryes. Some ranne off the streets to the kirk to pray. The like fearefull darknesse was never seene in this land, so farre as we can reade in our historeis, or understand by tradition. The wise and godliest thought it verie prodigious, so that from pulpit and by writt admonitiouns were givin to the ministers, that the changeable and glistering shew of the world goe not in betuixt them and Christ, the Sunne of righteousnesse, and remove the cleere light of the Gospell from the kirk. And, indeid, if the estat of bishops which then was in hatching continue long, it will not faile to bring on darknesse and ignorance, atheisme and Poprie. The like fearefull eclipse of the sunne, and appearance of fallin starres from the heaven, was seene in France, when men of greatest estimatioun were intised by flatterie and gifts to agree upon a midde betuixt Papists and Protestants, which had beene effectuated, if God had not cutt them off in a strange maner.

THE GENERALL ASSEMBLIE HOLDIN AT DUNDIE.

The Generall Assemblie conveened at Dundie, the seventh of Marche. Mr Robert Rollock made the exhortatioun on 2 Cor. iv. Mr Patrik Simsone, David Fergusone, Mr Peter Blekburne, Mr James Robertsone, and Mr Robert Wilkie, being putt on the list, Mr Peter Blekburne, by the king's authoritie, and pluralitie of votes, speciallie of northland ministers and barons, was chosin Moderator. The king and commissioners had layed doun before all the platts and courses which might serve for furtherance of their purposes. They travelled cheefelie that the commissioners of the Generall Assemblie sould not be severelie censured, becaus then their purpose in advancing bishops would not succeed.

The first two dayes nothing was done, but from morne till late at night ministers sent for to the king, and their votes procured. Mr Andrew Melvill was challenged by the king, after the calling

of the roll of the commissioners, for comming to the Assemblie, seing by his authoritie he was discharged from all Assembleis. Mr Andrew answered, He had a calling from the kirk; the king's discharge being civill, tuiched the constitutiouns and rents of the colledge, and not his doctorall charge, which was ecclesiasticall; he would not betray the kirk for his part. The king replyed, There was none there that sought the betraying of the kirk. Mr Johne Davidsone said, "Sir, yee are to remember that yee sit not heere as *Imperator*, but as a Christian; *ades ut intersis, non ut præsis.*" The king start at these words; yitt taking up himself, he distinguished, but in effect granted, that which Mr Johne had said, but chaffed, notwithstanding, within himself. "Sir, we are affrayed," said Mr Johne, "to speake, except yee be equall and indifferent. Therefore we crave that libertie which is due to this Assemblie." The king seemed to yeeld, but would suffer nothing to be done till Mr Andrew was removed. So Mr Andrew was commanded by the king to keepe his loodging.

MR ANDREW MELVILL DISCHARGED THE ASSEMBLIE.

Upon Wednisday, the eight, Mr Patrik Galloway had a flattering sermoun, of no learning, farre lesse sinceritie, exhorting to a confused peace, without due distinctioun betweene peace in God and peace in the devill. There was nothing but drift of tyme. The assessors were elected by the king against all order. Mr Johne Davidsone perceaving that the other partie minded to drive maters of greatest weight to the end of the Assemblie, and then make conclusiouns on a suddane, when poore ministers, after their purses were emptied, were forced to depart, he uttered his greefe in that point; and, farther, that the moderator and his assessors, who sould be as servants and helpers, were become lords and commanders. But small redresse was made.

Upon Thursday, the nynth, Mr Andrew Melvill and Mr Johne Johnstone were charged to depart off the toun, under the paine of

horning. When the Assemblie conveened, Mr Johne Davidsone said, "Sir, there is wrong done to the Assemblie in discharging Mr Andrew Melvill and Mr Johne Johnstoun." "Would yee have pleyes?" said the king. "No, Sir," said Mr Johne, "but that yee would give them licence to come in." "I will not heare one word of that," said the king twise or thrise. "We must crave helpe, then," said Mr Johne, "of Him that will heare us."

This day, in the fourth sessioun, the Synod of Lothiane gave in their greeves against the commissioners of the Generall Assemblie, wherupon was made this ordinance following:—

GREEVES AGAINST THE COMMISSIONERS.

Sessioun 4.

"The commissioners appointed in the last Generall Assemblie for planting of the touns of Edinburgh, Dundie, and St Andrewes, and suche other effaires as at more lenth is conteaned in the said commissioun, being called to give an accompt of suche things as had beene done by them by vertue of the commissioun foresaid, Mr James Nicolsone, in name of the rest, produced a booke conteaning a register of their whole processe and proceedings since the acceptation of the said commissioun, which was publictlie read in presence and audience of the whole Assemblie. And becaus there were some of the brethrein that thought themselves greeved at certan of their proceedings, therefore it was thought expedient that the brethrein after following sould cognosce upon the said greeves, and the commissioners' answeres thereto, which both sould be givin in writt before them, and therafter report to the whole Assemblie what they found there. They are to say, Mrs George Monro, James Dundas, Robert Howie, Duncane Davidsone, William Dowglas, Andrew Mylne, Andrew Lambe, James Robertsone, William Rind, Archibald Muncreif, Alexander Lindsey, David Fergusone, Robert Wilkie, William Cranstoun, David Spence, and Johne

Knox, Gawin Hammiltoun, Johne Hall, Johne Spotswod, Patrik Symsone, Robert Darroche, Henrie Livingston, David Barclay, Hugh Fullertoun, and Johne Welshe."

GREEVES TO BE PROPONED TO HIS MAJESTIE.

In the meane tyme, certan greeves were givin in to his Majestie by the Assemblie in the fourth sessioun, which here follow, together with their answeres.

THE GREEVES OF THE ASSEMBLIE.

"1. To crave of his Majestie a releefe of this present taxatioun, to suche of the ministrie as possesse small benefices within three hundreth merkes, seing they are not able to be susteaned on the same.

"2. To crave in generall for the whole ministrie, that they be not troubled with the taxation in no tyme comming, but that the officers that ingather the same charge the tacksmen immediatlie, who are bound to releeve the ministrie of their taxatioun; becaus, so long as the ministers charge their tacksmen, not onlie it averts them from their calling, but also breedeth a grudge betuixt them and their parochiners.

"3. To crave a redresse of the abuse of buriall, that an act of parliament may be made, discharging burialls in kirks.

"4. To crave a redresse tuiching adulterous mariages, where two persons both divorced for adulterie committed either with others, crave the benefite of the kirk, to be conjoynned in mariage.

"5. To crave his Majestie, what order sall be tane anent the relaxatioun of suche murtherers from excommunicatioun, as are alreadie relaxed from the horne, and yitt have not satisfied the partie; which is a token of no penitence.

"6. To advise with his Majestie, if the careing of professed witches from toun to toun to try witchecraft in others, be lawfull and ordinar tryell of witchecraft or not.

"7. Tuiching laick patronages, to lament unto his Majestie the great abusse which the late act of parliament has brought in, giving licence to the patron to possesse the fruicts of the benefice, incace he present a qualified man, and the same be not admitted by the kirk; under colour wherof, they use to present a qualified man to the presbyterie, and have him sworne to sett backe a tacke of the fruicts of the benefices to the patron. Wherupon, albeit the person presented be qualified, yitt the kirk cannot admitt him, in respect of the impediment foresaid; wherethrough, both the patron uplifts the fruicts of the benefice, and the kirk lyes destitute. Therefore, to crave redresse of the same."

THE KING'S MAJESTIE'S ANSWERES.

To the first and secund, his Majestie desired the commissioners to be deputed from this Assemblie to give in a supplicatioun to the counsell anent the same, wherunto his Majestie sould hold hand; and in the meane tyme, promised to caus stay all farther executioun against suche of the ministrie as were at the Assemblie presentlie, whill the 15th day of Aprile nixtocum.

Tuiching burialls, his Majestie thought good that a supplicatioun sould be givin in to the nixt parliament, craving, that, for the avoiding of burialls in kirks, everie nobleman sould big a sepulture for himself, and his owne familie.

Tuiching adulterous mariages, his Majestie thought good that a supplicatioun sould be givin in to the nixt parliament, craving suche mariages to be declared null in all tyme comming, and the bairnes gottin therin bastards.

Tuiching murtherers, his Majestie declared, when anie murtherer is relaxed from the horne, upon cautioun to underly the law, that he is not therefore *simpliciter* relaxed, but to a day, to abide tryell of his fault; and therefore thinkes the kirk may continue their censures against suche a person, and denie him anie benefite of the kirk, untill they see evident tokins of repentance in him, the partie be satisfied, and therupon a full remissioun obteaned.

Tuiching tryell of witchecraft, his Majestie declared, that by an act of the last parliament, it is remitted to certane of his honorable counsell and advocats, to conclude upon a solide order anent tryell of witches, and to advise, whether the foresaid careing of witches is permissive or not. Tuiching the which, the Assemblie ordeanned Mr Patrik Galloway and Johne Duncansone to hold his Majestie in remembrance.

Tuiching the abusse in the laick patronages, his Majestie thought good likewise that a supplicatioun sould be givin in to the nixt parliament, for redressing of the same.

THE COMMISSIONERS' PROCEEDINGS IN PART ALLOWED.

In the sixt sessioun, the proceedings of the commissioners of the Generall Assemblie, anent the planting of the ministrie of St Andrewes, and the examinatioun of Mr Johne Rutherfurd's deposition, were approved and allowed, and Mr Robert Wallace loosed from the sentence of suspensioun pronounced by them, providing he satisfie my Lord of Menmure, by advice of Mrs David Lindsay, Robert Bruce, and Robert Rollock, to the effect he may serve at suche parts where the kirk sall thinke fittest.

THE KING PROMISETH TO DEALE WITH TACKESMEN FOR AUGMENTATION OF THE DUETIE.

In the same sessioun, becaus it was reported by the commissioners of the Generall Assemblie, that the constant platt for planting of everie particular kirk was hindered by the tacksmen, who have the whole tithes in their hands, and refuse to condescend to anie substantiall order for planting of the ministrie, without some securitie made to them of the remanent of the tithes; it was inquired, what were the conditiouns the tacksmen craved, incace of augmentatioun of the duetie of their tackes, for sustentatioun of the ministrie. The visiters of Murrey and Aberdeene answered, that the tackesmen desired a perpetuitie of their tackes, by renew-

ing therof at the outrunning, without gressome. Mernes offered presentlie to augment in victuall, upon conditioun that the tackes be renewed at the outrunning therof, for a liquidat summe, in name of gressome. Angus offered the like. Fife, Lothiane, and some others, would make no offers. The ministers craved of his Majestie, that a law might be made anent the augmentatioun of the dueteis of the tacks, for sustentatioun of the ministrie. The king offered willinglie to deale with the tackesmen in suche sort, that they sould be forced to augment the duetie of their tackes to a reasonable and competent living for a minister at everie kirk, upon conditioun they gett some reasonable ease for their tithes. Wherupon the Assemblie ordeaned everie minister to give in a particular overture in writt to the commissioners who sould be appointed by the Generall Assemblie, and informatioun, what is the just value of the tithes of his parish, to whom they are sett, for what duetie, and to whom the duetie is payed; to the effect his Majestie, with the advice of the said commissioners, may take a solide order anent the sufficient planting of everie particular kirk, betuixt and the nixt Generall Assemblie.

THE GREEVES OF SOME PRESBYTEREIS BURIED.

There was muche altercatioun about the greeves givin in by the commissioners of the presbytereis out of diverse quarters, against the commissioners of the Generall Assemblie for their proceedings, so that suche altercatioun was not seene at anie tyme, in anie of our Assembleis, since the Reformatioun. The excommunicated erles, Papists, and polititians, were brought in to take their pastyme, and gather mater of slander and calumnie. But the king fearing his purpose to sett up bishops sould not succeed weill that way, laboured to have the greeves buried, promised to deale with the tackesmen for augmentatioun of the duetie of their tackes, and was the more easie to be reconciled with the ministers of Edinburgh, and to condescend to their plantatioun in Edinburgh. Wherupon, a number of presbytereis being removed, and debarred from voting

in the tryell of the commissioners, the greeves were buried, and their proceedings allowed. But manie of the ministrie said they were so evill buried, that they would rise again. The drift of this bureing was, that the commissioners might proceede without impediment farther in their intended course. The act of bureing the greeves, and approbatioun of the commissioners, heere followeth:—

Sessioun 7.

"The brethrein appointed to try the proceedings of the commissioners of the Generall Assemblie, and the greeves givin in against the same, with the commissioners' answeres thereto, declared, that they had considered the whole greeves givin in by the Synodall of Lothiane, and the commissioners' answeres made to the same; and that they thought it expedient, so that it were the will of the Assemblie, that the said greeves and answeres sould be bureid. Notthelesse, the Assemblie, for satisfactioun of the whole brethrein, thought good that the said greeves and answeres sould be read in audience of the whole Assemblie. Which being done, after voting it was concluded, that the processe and proceedings of the said commissioners sould be ratified in that part, and the said greeves and answeres buried and obliterated, for continuance of quietnesse and peace in the kirk."

COMMISSION TO PLANT EDINBURGH.

Sessioun 8.

"The brethrein, after the revising of the whole proceedings of the commissioners of the Generall Assemblie, ratifie, allow, and approve the same, and ordeane the whole greeves givin in, and answeres made therunto, to be bureid and putt out of memorie. And for better executioun of their proceedings, the Generall Assemblie ordeans Mr Robert Rollock, David Lindsey, Robert Pont, Patrik Galloway, Johne Duncansone, James Nicolsone, Thomas

Buchanan, George Glaidstains, or anie five of them, to conveene with his Majestie, to putt the decreit of the saids commissioners anent the planting of Edinburgh to farther executioun, and place the ministers of Edinburgh at their particular flockes: Ordeaning likewise the ministers of Edinburgh to obey the said decreit, by accepting everie one of them their owne particular flockes, under the paine of deprivatioun from their ministrie. And incace of disobedience on their parts, and non-acceptatioun of the particular flockes, as said is, that the said commissioners deprive them from the functioun of their ministrie; and, therafter, ordeane the said commissioners to plant the kirk of Edinburgh with suche of the wisest and most discreit of the brethrein as they sall thinke most meete, to the glorie of God, and edificatioun of the particular flockes within the toun of Edinburgh: and in the meane tyme, whill the saids commissioners conveene for performing of the premisses, the brethrein ordeane the ministers of Edinburgh to continue in preaching of the Word, and ministratioun of the Sacraments."

THE KING DECLARETH HIMSELF RECONCILED WITH THE MINISTERS OF EDINBURGH.

Sessioun 10.

Becaus sindrie of the brethrein desired to be satisfied of his Majestie's minde, by his owne mouth, towards certan of the ministrie, and speciallie toward the ministrie of Edinburgh, anent whatsoever thwarts or accidents that have fallin out these two yeeres bygane; his Majestie, for making his minde more cleerelie to be understood by the whole brethrein, declared himself to be contented and satisfied with the ministrie of Edinburgh; and that his Hienesse did beare no grudge nor evill will to anie of them, for anie accidents which have fallin out in anie tyme bygane, and that the same sould never be remembred by his Majestie in anie tyme comming; but that his Hienesse and they (to which the ministers of Edinburgh

willinglie consented) sould never call anie of these accidents fallin out in anie tyme bygane to remembrance, nather make mentioun of the same in privat speeches nor publict sermouns heerafter.

Before the king was brought to this point, Mr Robert Bruce offered, five or six tymes, to enter in waird, and abide the law, for the fact committed the 17th day of December. The king said, were not for pleasure of the commissioners, with whom he professed to take plaine part, a dossoun of them had trotted over Twede er now. In end, taiking up himself, and considering what he had to doe, and sindrie of the brethrein on the other side desiring to understand what was his Majestie's minde towards certan of the ministrie, speciallie the ministrie of Edinburgh, declared himself to be contented, as said is.

THE GENERALL COMMISSIOUN RENEWED.

This being done, and manie supposing the commissioners meant not anie violent course, the Generall Commissioun was renewed in the tenth sessioun, as followeth :—

" The which day, in presence of the whole Assemblie, the king's Majestie having declared his advice anent the necessitie of commissioners to be appointed by the Generall Assemblie, to await and concurre with his Majestie, for bringing to a finall end the longsome worke of the constant platt, for planting of ministers at the principall burghes within this realme, incace anie of their places sall happin to vaike before the nixt Generall Assemblie, for awaiting upon the parliament, if anie sall be, and craving redresse of suche things wherewith the ministers find themselves greeved; and, finallie, for redressing of suche enormiteis, and awaiting upon suche good occasiouns as may fall out before the nixt Generall Assemblie; desiring, therefore, that the brethrein would consider the necessitie foresaid, and according to their discretioun, whether it were expedient that a commissioun sould be granted to certan of the most wise and discreit of the brethrein for the causes foresaid. The which his Majestie's advice, the Assemblie thinkes verie needfull and expedient,

and therefore has givin and granted, lyke as they, by the tenour heerof, give and grant, their full power and commissioun to Mrs Peter Blekburne, James Nicolsone, Andrew Mylne, Alexander Dowglas, Johne Ramsay, Thomas Buchanan, David Fergusone, William Cranstoun, George Glaidstains, Alexander Lindsay, Henrie Livingstoun, Robert Pont, David Lindsay, Robert Rollock, Johne Hall, Johne Clappertoun, Johne Knox, Gavin Hammiltoun, Andrew Knox, and his Majestie's and the prince's ministers, or anie nyne of them, to conveene with his Majestie, at suche tyme and place as sall be found expedient: With power to them, or anie nyne of them, to concurre with his Majestie anent the setting doun, and concluding of the solide grounds and fundaments of the constant platt, and what securitie sall be made to the tacksmen for the remanent of their tithes; which grounds being sett doun by them, they sall make everie presbyterie within this realme privie to the same. And incace the said presbytereis, by their commissioners, or by themselves, after visitatioun of the said grounds and conclusiouns, ratifie and approve the same, with power to the saids commissioners, or anie nyne of them, to conveene therafter with his Majestie and Lords of his Privie Counsell, having the power of the Parliament to that effect, and there to putt a finall end and conclusioun to the constant platt, and solide planting of everie particular kirk within this realme. With power also to the said commissioners, or anie nyne of them, to plant sufficient ministers in the principall burghes of this realme, incace the ministrie therof sall happin to vaike, betuixt and the nixt Generall Assemblie; and in speciall, to take care anent the provisioun of ministers to his Majestie and the prince's hous, the kirks of Dumfreis and Newabbey. With power also to the saids commissioners, or anie nyne of them, to await upon the Parliament, if anie sall be before the nixt Assemblie, and give in the greeves of the same, desiring them to be redressed; and to give their advice to his Majestie, for avoiding and eshewing of anie danger or inconveniences which may be likelie to fall out in prejudice of the kirk.

"And likewise, incace his Majestie find himself greeved, or crave

redresse of anie enormiteis done to his Hienesse by anie of the ministrie, with power to them, or anie nyne of them, to sitt and cognosce upon the same; wherin, for the better informatioun of the cryme or fact which sall happin to be committed, they sall crave the advice of the most discreit of the presbyterie where the person, offender, dwelleth, as they sall thinke expedient; and therafter proceed in taiking tryell of the fact by themselves, and conclude therin, as sall be most expedient to the glorie of God, and peace and quietnesse of the kirk within this realme. And, finallie, with expresse power and command to the said commissioners to propone to his Majestie, at their conventiouns, the petitiouns and greeves als weill of this Assemblie in generall, as of everie member therof in particular, as sall be meaned unto them. *Promitten de rato.*

"Tuiching the foresaid commissioun granted for redresse of suche things as sall happin his Majestie to be offended with in the person of anie of the ministrie, his Majestie declared, in presence of the whole Assemblie, that albeit the whole power of cognoscing in suche maters be devolved upon the persons of the commissioners, who sould concurre with his Hienesse to that effect, neverthelesse, his Majestie's minde is no wise to trouble the commissioners with anie suche mater, unlesse, first, it be notoriouslie knowne that the presbyterie where the offender makes residence both has gottin knowledge of the fact, and ather has altogether neglected the tryell therof, or not satisfied his Majestie with the punishement impouned to the offender by them."

REASOUNING UPON MINISTERS' VOTE IN PARLIAMENT.

After this woefull commissioun was past, the questioun which was moyened before at all the synods was propouned, to witt, concerning the kirk's vote in parliament; which was the cheefe end wherefore the Assemblie was conveened, howbeit they had spent hitherto a whole weeke in other maters, to wearie a number of the ministers, that in their absence they might effectuat their intent the more easilie. The king made an harangue, wherin he declared what

great care he had to adorne and commodat the kirk, to remove all controversies, to establishe the discipline, and to restore her patrimonie; and that he might effectuat this, it was needfull that the ministers sould have their vote in parliament, without which the kirk could not be vindicated from povertie and contempt. "I minde not," said the king, "to bring in Papisticall or Anglican bishopping; but onlie to have the best and wisest of the ministrie appointed by the Generall Assemblie, to have place in counsell and parliament, to sitt upon their owne maters, and see them done, and not to stand alwise at the doore, lyke poore supplicants, despised, and nothing regarded." This speeche he uttered with great protestatioun in the tenth sessioun, and some of the commissioners did the like.

In the elleventh sessioun there was hote disputatioun about vote in parliament. Mr Johne Davidsone compleaned that Mr Andrew Melvill was discharged the Assemblie. Mr Johne Knox, minister at Melrose, added, they had discharged him, becaus they feared his learning; and, no doubt, the act made at St Andrewes, by the king and the commissioners of the Generall Assemblie, tuiching the discharging of the Professors of Theologie from meddling in maters of discipline, was made purposelie to seclude Mr Andrew Melvill and Mr Johne Johnstoun from reasoning against this erectioun of bishops, which they had then in their heads. Mrs Robert Bruce, James Melvill, Johne Carmichael, Johne Davidsone, William Aird, and sindrie others, mainteaned that ministers sould not have vote in parliament. Mr Thomas Buchanan, Mr George Glaidstains, Mr Robert Pont, reasouned for the other part. Mr George Gladestains alledged that the whole subjects were divided *in tres ordines*, in respect of their living in the commoun weale, and, therefore, the kirk must be one estat. Mr Johne Davidsone answered, "We hold not our living of kings nor states;" and becaus Mr George had said, "We have vote *in rogandis et ferendis legibus*," Mr Davidsone answered, "No otherwise, than as it is said among the Romans, *præsentibus sacerdotibus, et divina exponentibus, sed non suffragia habentibus*." "Where have yee that?" said the king. "In

Titus Livius," said he. "Are ye going," said the king, "from Scripture to Titus Livius?" "Nay," said Mr Johne, "but for Roman termes, which Mr George alledged I have brought a simile out of the Roman practise, to expresse my minde."

The place, 2 Chron. xix., was muche agitated betweene Mr Thomas Buchanan and Mr Johne Carmichaell. Mr Johne disputed so acutelie, that the king himself was forced to commend him. Mr James Melvill had his large part in reasoning. His reasouns and arguments he renewed and enlarged afterward in the conference holdin in Monrose, in tyme of the Generall Assemblie, *anno* 1600, to which place we remitt them. But to what use served reasoning, seing authoritie boore swey, and men were winne with threats and perswasiouns before hand? When it came to the calling of the roll, that everie man might give his vote, Mr Gilbert Bodie, a drunken Orkney asse, was first called. He led the ring, and a great number of the North followed, all for the bodie, without regard to the spirit. And yitt a great number of honest brethrein glorified God, in reasoning and voting directlie against it. A thrid sort were mistaikin both in reasoning and voting. The number that caried away the affirmative were not suche as laboured, or had skill in the Word, but laicks wanting commissioun. Yitt notwithstanding of their helpe, and the king's authoritie, who kythed plaine partie, they exceeded the sincerer sort onlie by ten votes. The act, as it lyeth in the Register, heere followeth :—

Sessioun 11.

"Forasmuche as the commissioners of the Generall Assemblie, at the parliament holdin in December last bypast, upon an earnest zeale which they did alwayes beare to the weale of the kirk, had givin in certane articles to the lords of parliament concerning the libertie of the kirk; and, in speciall, had craved that the ministrie, as representing the true kirk of God within this realme, and so being the thrid estat of the realme, might have vote in parliament, according to the lovable acts and constitutiouns of before made in

parliament in favours of the freedom and libertie of the holie kirk: Which their travells and endeavoures, proceeding alwise upon a godlie intentioun, they submitted to the censures of this present Assemblie, desiring the brethrein to allow or disallow the same, as they sould thinke most expedient for the glorie of God, and establishing of the true religioun within this realme. Wherupon the brethrein being rightlie advised, allowed the honest and godlie intentioun of the commissioners in craving vote in parliament for the ministrie, as conforme and agreeing with sindrie other acts of the Assembleis preceeding, in the which it has beene found expedient that the kirk sould sute vote in parliament.

"Forasmuche as his Majestie, willing to utter his good intentioun that he has alwise borne to the establishing of the true Kirk of God within this realme, declared, that for the better performance therof, his Hienesse had assisted the commissioners of the last Assemblie, in craving vote in parliament in name of the kirk; which their sute, albeit in some part, and as it were in a certane maner, granted by the lords of parliament, yitt the acceptatioun therof, the forme and whole circumstances of the person, were reserved to this Generall Assemblie, to be accepted or refused as the kirk sould thinke expedient. And seing his Majestie had anticipated the appointed tyme of the Assemblie, and desired the brethrein to conveene at this present tyme, especiallie for the caus forsaid: Therefore, his Majestie desired, that the brethrein would enter in a particular consideratioun of the whole points of the said act in everie particular point therof; and first, to reasoun in publict audience of the whole Assemblie, whether it were lawfull and expedient that the ministrie, as representing undoubtedlie the kirk within this realme, sould have vote in parliament or not. The said questioun being at verie great lenth reasoned, and debated *in utramque partem*, in presence of the whole brethrein, and therafter voted, the Generall Assemblie votes, finds, and concludes, that it is necessar and expedient for the weale of the kirk, that the ministrie, as the thrid estat of the realme, in name of the kirk, have vote in parliament."

MR J. DAVIDSON'S OPPOSITION TO THE PROCEEDINGS OF THE ASSEMBLIE.

Thus we see how the commissioners, presuming without warrant from the kirk, to treate with the parliament anent the kirk's vote in parliament, she standing yitt in doubt whether it be lawfull to ministers to succeed in the place of prelats for voting in parliament were allowed; and they proceed to other points, how manie sould vote for the kirk, and who sould have the electioun? Mr Johne Davidsone desired the Assemblie not to be suddane in concluding suche weightie maters; commended the custome of the Romans, who *in rogandis et ferendis legibus*, gave *trinundinum spatium* to examine them. No answere was made to him. Mentioun being made of bishops, Mr Robert Rollock's judgement craved, he dissembled not, but said plainlie, that lordship could not be denied them that were to sitt in parliament, and allowance of rent to mainteane their digniteis. "See yee not, brethrein," said Mr Davidsone, "how bonilie yonder bishop beginneth to creepe out! *Novus palliatus episcopus;*" at which words, the king and a great number burst furth in laughter, so light accompt made they of the mater. But he proceeded in his speeche: "Have we not done muche to it," said he, "that so long have striven against this corruptioun, to bring furth suche a birth now?" The other partie laboured to extenuat the mater. "I would learne," said he, "of Mr Robert Pont there, who seemeth to know best, what difference there is betuixt this kinde of bishoprie which is now urged, and that kinde which was condemned in our acts and bookes of our Assemblie?" "We sall shew that afterward," said Mr Robert, "when we come to that point." "It will never be shewed," said Mr Davidsone, "saving that this last hath suche a consent and approbatioun." Then Mr Blacke desired Mr Davidsone to give in the protestatioun which he had in readinesse three or foure dayes since. Sindrie of the brethrein had seene it, thought it dangerous at that tyme, and not expedient that anie sould sub-

scribe it but himself. So his vote being asked, he refused to vote, in respect he saw no freedome in that Assemblie. He protested in his owne name, and name of other brethrein that would adhere to his protestatioun, that they disassented from all their proceedings, "which heere," said he, "I present in writt, that it may be insert in the bookes of the Assemblie." "It sall not be granted," said the king, "seing yee have voted and reasouned before." "Never, Sir," said Mr Johne, "but without prejudice of my protestatioun made, and to be made, which words I used sindrie tymes before I spake;" which was truthe. For in the weeke before, upon Thursday, after he had gottin licence to speeke, he said, "Sir, I have some thing to speeke to your Majestie." "Have yee commissioun?" said the king. "Yes," said he, "from my Maister." "That is witche-like spokin," said the king: "are yee a commissioner or messinger from Christ?" "Yes," said Mr Johne, "and that yee sall finde, by the grace of God." At which words the king shrunke. He protested against their proceedings, becaus freedom was denyed to them. The king said, he spake anabaptisticall-like, and had too muche acquaintance with Mr Penrie. He answered, he was no Anabaptist, and agreed not with Mr Penrie, as sindrie there could beare witnesse, namelie, Mr Robert Bruce, Mr Walter Balcalquall, and others.

Upon Saturday, when they came to the weightier maters, after some were discharged the Assemblie and sindrie departed, as Mr Davidsone had foretold, he desired licence to speeke. It was hardlie granted, speciallie by the king, who was more than Moderator. He beganne to compare the kirk to a sicke wife, and the ministers to physicians. He said, he saw now a great schisme; and if they would have it cured, the best remedie was to beginne at the removing of the caus; which, said he, was the wrongfull charge of the commissioners of the Generall Assemblie, by publict proclamatioun, in November, 1596, to depart out of Edinburgh. The king interrupting him, said, it was not true; the sermouns in pulpits were the caus of the discharge. He was not suffered to reply. The Moderator willed him to give in, in writt, anie thing

he would say. So, after sindrie speeches at sindrie tymes, he delivered the protestatioun in writt, which was reached from hand to hand, till it was layed doun before the clerk. The king taiketh it up and readeth it, sheweth it to the Moderator and others about him, and at lenth putteth it up in his pockett. Mr Davidsone thought there sould be no more of it. The tenour of the Protestatioun heere followeth :—

"This is to deplore by writt, Right Reverend in Christ, according to your appointment, when otherwise I was interrupted this other day to speeke in the Assemblie, *viva voce*, (as yee know,) the great corruptioun, confusioun, and disorder in our Generall Assembleis, and the great inconveniences that have followed therupon in the kirk, since the injurious discharge of the lawfull commissioners therof, by publict proclamatioun at the Croce of Edinburgh, in November bygane a yeere, namelie, at Perth, Dundie, at the last Generall Assemblie, and now at this, most of all, wherein that freedome due unto a free assemblie is utterlie denyed unto us, as at more lenth sall be qualified in tyme and place, if neede sall require. As also, to declare, that I adhere to my former protestatioun made by word before his Majestie, at the Generall Assemblie last holdin at Edinburgh, and by writt ordeanned to be insert in the bookes of the Assemblie, at the last Generall Assemblie in this toun, that it may be lawfull to me, and suche other brethrein of the ministrie as would adhere to the said protestatioun, to use our wounted freedom in our ministrie, according to the Word of God, and good lawes and practick of this realme, notwithstanding anie law or act made, or to be made, in the contrare. And, finallie, to protest of new, in my owne name, and name of all suche brethrein as sall thinke good to hold hand to this commoun caus, that we disassent from all the proceedings in this and the other two foresaid Assembleis, as not having the priviledge of free assembleis permitted unto them, till the nixt better constituted and advised Assemblie. Which protestatioun I desire to be insert presentlie in the bookes of this Assemblie."

They proceed in the voting, howbeit there was diversitie of

judgements among these that would have the kirk the thrid estat in parliament; some desiring the commissioners of the kirk to be chosin as barons and burgesses are, others willing to accept vote in parliament upon what conditioun soever it might be had. It was concluded by pluralitie of votes as followeth :—

THE NUMBER AND QUALITIE OF THE VOTERS.

Sessioun 12.

"Concerning the number of the ministrie that sould have vote in parliament in name of the kirk, it was likewise concluded and thought expedient, that als manie of them sould be chosin for the vote in parliament, as were wount of old in tyme of the Papisticall kirk to be bishops, abbots, and pryours, that had the like libertie, viz., to the number of fiftie and one, or thereby.

"*Item*, After reasoning, it was voted and concluded, that the electioun of suche of the ministrie as sould have vote in parliament ought to be of a mixed qualitie, and apperteane, partlie to his Majestie, and partlie to the kirk. And becaus through shortnesse of tyme, the brethrein could not be perfytelie resolved in the remanent heeds and circumstances, concerning the office of him that sould have vote in parliament, viz., *de modo eligendi*, of his rent, of the continuance of his office, whether he sould be chosin *ad pœnam*, or not, of his name, of the cautiouns for preserving of him from corruptioun, and suche other circumstances: Therefore, the Assemblie ordeans everie presbyterie to be rypelie and throughlie advised with the particular heeds above writtin, and therafter to convocat their Synodall Assembleis through the whole countrie, upon one day, which sall be the first Tuisday of Junie nixtocum; and there, after new reasoning and advisement with the saids particular heeds above writtin, that everie synodall choose out three of the wisest of their number, who sall be readie upon his Majestie's advertisement (which sall be upon a moneth's wairning at the least) to conveene with his Majestie; together with doctors of the universiteis,

viz., Mrs Andrew Melvill, Johne Johnestoun, Robert Rollock, Patrik Schairp, Robert Howie, Robert Wilkie, and James Martine, suche day and place as his Majestie sall thinke expedient. With power to them to treate, reasoun, and conferre, upon the said heeds, and others apperteaning thereto; and incace of agreement and uniformitie of opiniouns, to vote and conclude the whole questioun concerning vote in parliament; otherwise, incace of discrepance and variance, to referre the conclusioun therof to the nixt Generall Assemblie."

The king and commissioners had a purpose to passe through manie questiouns, which, that they might passe the more easilie, were made cleane of all corruptioun, Popish and English, and bishops formed of a new mould, embarred and enclosed with suche caveats, as would rainge them in, suppose they sould grow never so wylde. Yitt when they were read, they perceaved that the brethrein's hearts who assented to the first beganne to swither. Therefore, they thought meete to refyne them, that they might the more easilie purchasse the consent of manie whom they found adverse; and were content at this tyme with the number of the voters.

THE ASSEMBLIE REFUSETH TO REGISTER MR J. DAVIDSON'S PROTESTATION.

After the dissolving of this sessioun, Mr Johne Davidsone departed off the toun. Muche adoe there was, after noone, about his protestatioun. The king demanded, who would stand to it? The brethrein thought good to keepe silence. Some would have had it remitted to the presbyterie. Mr Thomas Buchanan would have had him presentlie censured and condemned. It was agreed that it sould not be insert, as followeth:—

Sessioun ultima.

"Tuiching the protestatioun givin in by Mr Johne Davidsone,

for himself, and in name of certan other brethrein, as he alledged, protesting that this present Assemblie was not a free Assemblie, which his protestatioun he desired to be inserted in the bookes of the Assemblie: it being inquired by the moderator, if anie would adhere to the said protestatioun, there was none found that would adhere to the same, nor was of the said Mr Johne's opinioun theranent. And, therefore, the brethrein discharged the clerk to insert the same in the bookes of the Assemblie."

Mr Johne Davidsone had skarse landed on this side of Dundie Ferrie, when manie of the brethrein overtooke him, and subscribed the protestatioun, to the number of three or four score. But when Mr Davidsone came to St Andrewes, it was thought expedient to cutt off the names, and burne them in the fire. There were certan articles penned, to be advised upon by this Assemblie, for tymelie preventing of abusses and corruptiouns. The author I know not, or whether they were presented in publict; but I have heere inserted them, as I have found them writtin by Mr Johne Davidsone's owne hand.

CERTAN ARTICLES TO BE ADVISED UPON IN THIS GENERALL ASSEMBLIE, GIVIN IN BY A BROTHER, FOR THE TYMELIE PREVENTING ABUSES, AND GREAT CORRUPTIONS THAT, IN TYME, USE TO SLYDE IN UPON THE KIRK, WHERE NEGLIGENCE HAS PLACE.

"*Imprimis*, That a commoun care be had by all the brethrein, that the libertie due to all commissioners in the Generall Assemblie, freelie to speeke, propone, and vote, (providing it be done with order and modestie,) be no wise prejudged by the authoritie or presence of anie brethrein, moe or fewer, of what qualitie soever; but that it remaine to our posteritie, *sarta tecta*, (as they say,) as from the beginning the custome has beene. And if the appearance of the contrarie beginne to breake out in anie, it be gravelie and soundlie tane up in tyme. As also, that things of weight, advised upon by the moderator and his assessors, be so cleerelie propouned

againe in the Assemblie, with suche indifferencie, and without all precipitatioun in urging of the brethrein's voices before they throughlie understand the mater, that they may have due tyme to consider of the thing in hand, and to be als weill acquainted with the same before they vote as the assessors themselves; yea, and that the moderator and his assessors be sworne or bound to hide nothing of importance from the knowledge of the Assemblie, that by word or writt is propouned to them concerning the commoun weale of the kirk and ministrie; least otherwise, that which was ordeaned for the ease and benefite of the Assemblie, turne to the prejudice and hurt of the libertie therof, and lay the foundatioun of an oligarchie.

"Nixt, That the ordinance of the universall visitatioun of the presbytereis and kirks in all the quarters of this realme be wakenned up againe, and putt in practise, *primo quoque tempore;* with a supplee of suche wants as sall be found in the former ordinance, ather in places to be visited, or tyme, or persons visiters, for the need was never greater.

"Thridlie, That the cheefe subject of the tryell be tuiching the studie, faithfulnesse, gravitie, and zeale, of the ministers of everie presbyterie, *ab initio,* towards the worke of the Lord, in edifeing God's people by life and doctrine; and of their encreasse or decay of the same sensyne, and that they be censured accordinglie.

"Fourthlie, That in the tryell of the life of everie minister, the government of his owne persoun and of his familie, tuiching the use of their speeche, companie, meate, drinke, and apparell, be narrowlie marked, becaus in these and the like they sould be exemples to their flocke; and that the names of the slanderous offenders in these premisses, without exceptioun of persouns, be givin up to the Generall Assemblie.

"Fyftlie, Concerning doctrine: For of readers onlie, and men unable to teache in some reasonable measure, there is an act made in the Generall Assemblie, holdin in the same toun of Dundie, 1580, discharging them as having no lawfull ordinarie office in the ministrie, which would be tryed; also, how it is keeped concern-

ing doctrine. Then, in teaching ministers, that diligent inquisitioun be made, what dayes and houres they preache, how reverentlie and familiarlie they breake the Word to the capacitie of their people, for their true edificatioun, and what accompt they take of the people's profiting in knowledge and practise. And for this purpose, that a weill conceaved act be sett doun by the Generall Assemblie, tuiching the brydling and leaving this curious kinde of preaching, yea, rather, a certan unprofitable and profane *κενοφωνια*, without the right cutting of the Word, which of a long tyme has been unprofitablie used by manie, and, by their exemple, beginneth now to be more excessivelie used of moe, to the great hinderance of true edificatioun, wherethrough the people universallie, for the most part, within this realme, under a shadow of religioun, are interteaned in atheisme, without all true knowledge and feeling, as woefull experience does plainlie prove; for remedie wherof, so farre as in us lyeth, lett us labour with the apostle, that making more conscience of our preaching, our preaching may stand rather in the evidence of the Spirit, &c.: that the faith of our flockes be not in the wisdom of men, but in the power of God. And heere is not to be omitted the tryell of the executioun of the act made in the same toun of Dundie, in Julie, 1580, tuiching the discharging of readers, as having no ordinarie office in the kirk. As also, that the forme of catechizing commounlie used be more plaine and familiar, according to the maner of that kinde of doctrine, as the word itself doth import.

"Sixtlie, That this may be the better brought to passe, that it be injoynned to the ministrie, by an ordinance of this Assemblie, publictlie and privatlie to urge divisioun of great parishes into competent congregatiouns, and that with suche orderlie and comelie maner as may stand with the quietnesse and good will of the people, weightie reasouns of their motioun being gravelie adduced.

"Seventhlie, That tymelie regaird be taikin in every presbyterie to the insolent behaviour of suche as, under anie pretence, would goe about to deface or diminishe the joynt authoritie of the pres-

byterie in maters belonging therunto, by drawing the swey of maters after the convoy or authoritie of some few persons. Which corruptioun, as it is no new thing in the kirk, so has it beene the originall of all the antichristian tyrannie that has wracked the libertie of the kirk from tyme to tyme, and so is the more sharplie to be watched on and snibbed in tyme, wheresoever, or in whatsoever persons, φιλοπρωτευουσι, it beginneth to breake out.

"Eightlie, When anie publict fasts are appointed, (as presentlie, great need there is that one be,) that the true caus of our misereis be truelie tane up from the ground without respect of persons; and that all preachers, being weill made acquainted therewith, may labour to feele the weight of them in their owne hearts; that they may speeke of knowledge and feeling, and not by bare informatioun, considering that the saying is true, '*Si vis me flere, dolendum est primum ipsi tibi.*' And, therefore, we read in the secund of Joel, that the preests were commanded, in tyme of publict fasts, to weepe betweene the porche and the altar, and to say, 'Spaire thy people, O Lord!' &c. For it appeares the Lord will have us in all estats, and speciallie of the ministrie, to come neerer the grounds of our calamitie than we have done yitt, that seing the sword, we may blow the trumpet as becometh, for the tymelie wairning of God's people, and discharging our owne soules, in these most perellous dayes.

"Nynthlie and last, That as the mater of our stipends and τα ειωτικα be not omitted, but have their place, to be treatted ather first or last in the Assemblie, as need sall require; so, the care how to wairne our prince and people of the present approaching destructioun to him, this kirk, and countrie, and how we may heereafter have better occasioun to discharge (everie man in his calling) a faithfull duetie to God's people perishing in this land for laike of true knowledge, may have once the cheefe rowme and place amongst us in our Assembleis, (least we gett other reformers er it be long,) for, *hæc oportet facere, et illa non omittere,* and seeking the kingdom of God and his righteousnesse, these things sall be cast unto us.

"In love and submission to be made fruict of, as God sall direct your Wisdoms.

"*Grandis prudentiæ est aurum in luto quierere, quod bonum fuerit retinere.*"

Howbeit these articles and instructiouns were not muche regairded, or taikin notice of, yitt these acts following were made:—

ACTS.

Sessioun 3.

"It is statuted and ordeanned, that, in all tyme comming, everie provinciall Assemblie send the acts of the synod made since the Generall Assemblie preceeding, with their commissioners directed by them to the nixt Generall Assemblie, to the effect the brethrein of the Generall Assemblie may take tryell and cognitioun that the proceedings of everie particular synod be done *decenter et ordine*, and so allow or disallow of them, as they sall thinke meete; and that this order beginne at the nixt Generall Assemblie.

"*Item*, Becaus it was meaned by some of the brethrein, and found fault with, that suche as use to be appointed commissioners from the synods to the Generall Assemblie refuse, without reasonable caus, to obey, whereby it falleth out oft that at the Generall Assemblie there is enlaike of some commissioners from synods: It is statuted and ordeaned, that everie synod choose out suche as sall be thought most meete to come as commissioners to the Generall Assemblie, who sall remain till the last day of the Assemblie inclusive. And to the effect they may pretend no reasonable caus in the contrare, speciallie povertie, it is statuted, that incace the commissioners which are chosin may not commodiouslie await upon the Assemblie upon their owne expences, then, and in that cace, the rest out of which number he is chosin sall contribute to his expences, according to the abilitie of their livings, under the paine of tinsell of the tenth part of their stipends. Which commissioners being so furnished by a common contributioun, as said is, they sall remaine untill the finall end therof, under the paine of the tinsell of the tenth part of his owne stipend. And incace ather

the commissioner, or the brethrein of the synod, through not obeying everie one their parts of the premisses respective, incurre the dangers of the penalteis above rehearsed, and yitt refuse to make payment of the said penalteis, viz., of the tenth part of their stipends, then, and in that cace, they sall be suspended from their calling and functioun, ay and whill they satisfie the same."

Sessioun 5.

"Becaus it was reported in the Assemblie, that albeit sindrie persons were convicted of witchecraft, neverthelesse, the civill magistrat not onlie refused to punishe them conforme to the lawes of the countrie, but also, in contempt of the same, sett the persons at libertie which were convicted of witchecraft: Therefore, the Assemblie ordeans, that, in all tyme comming, the presbyterie proceed in all severitie with their censures against suche magistrats as sall sett at libertie anie person or persons convicted of witchecraft heerafter.

"*Item*, Becaus diverse persons, with a preposterous haste, have proceeded to the bannes of matrimonie, without anie lawfull proclamatioun of the bannes, wherethrough the ordinances of the kirk are highlie contemned: Therefore, it is statuted and ordeaned, that no persons be coupled together in mariage without they be thrise lawfullie proclamed at their owne parish kirk, according to the consuetude observed within this realme. And incace of contraveening of the same, that the minister be deprived of his office, and the parteis ordeaned to satisfie the kirk by publict repentance.

"Tuiching burialls, it is ordeaned, that no pictures or images be caried about in burialls, under the paine of the censures of the kirk.

"*Item*, Becaus it was regraited that certan of the ministrie being beneficed persons, have sett tackes and assedatiouns of the fruicts of their benefice, and therafter have obteaned licence of transportatioun from their kirk, so that the same, by reasoun of the tackes sett by them, remaine continuallie unplanted for laike of provisioun: Therefore, it is statuted and ordeaned, that, in tyme comming, no

minister gett licence of transportatioun from his kirk, before it be tryed that he has not hurt the benefice from which he craves to be transported, by setting tacks of the fruicts of the same. And if the tacks that were sett before his entrie to the said benefice expired in his tyme, that he have renewed no old tacke, but consent of the Generall Assemblie, and meliorationn of his benefice.

"*Item*, Becaus, for laike of moyen, sindrie of the ministrie as yitt have not obteaned designatioun of their manses and gleebs: Therefore, it is ordeanned, that everie minister who is not possessed with his manse and gleeb, obteane possessioun of the same betuixt and the nixt Assemblie. And incace the person in whose favours the designatioun is granted be not able, through povertie, to await upon the law for obteaning possessioun of the same, that the rest of the brethrein of his presbyterie concurre and helpe him with expences for obteaning of the same."

Sessioun 12.

"For better observing of the presbytereis, it is statuted and ordeaned, that everie presbyterie sall assemble themselves once orderlie eache weeke, in the full number; at the least, so manie of them as have their residence within eight miles to the place of the ordinarie conventioun of the presbyterie.

"That everie member of the presbyterie studie the text wherupon the exercise is to be made.

"That a commoun head of religioun be treatted everie moneth, in everie presbyterie, both by way of discourse and disputatioun.

"That everie pastor have a weekelie exercise of instructioun, and examinatioun of a part of his congregatioun in the Catechisme."

Sessio ultima.

"Becaus the questioun anent summar excommunicatioun, for laike of tyme, cannot be commodiouslie treatted at this present, therefore, the brethrein continue the same to the nixt Assemblie; in the meane tyme, suspend all summar excommunicatioun.

"Becaus there has beene no order sett doun hitherto anent the number of commissioners to be directed from everie presbyterie to the Generall Assemblie: Therefore, it is statuted and ordeanned, that, in all tyme comming, three of the wisest and gravest of the brethrein sall be directed from everie presbyterie at the most, as commissioners to everie Assemblie; and that none presume to come but commissioun, except he have a speciall complaint; and that the clerk of the Assemblie take heed to receave no man in commissioun but three allanerlie, as said is: And likewise, that one be directed from everie presbyterie in name of barons, and one out of everie burgh, except Edinburgh, which sall have power to direct two commissioners to the Generall Assemblie.

"Becaus it was reported by certan of the brethrein, that, notwithstanding the acts of the Assembleis preceding, against sailers and traffiquers with Spaine, the said traffique was not intermitted: Therefore, the Assemblie ordeans the act made anent the said traffiquers to be putt to farther executioun in all points, but anie respect of persons."

Sessioun 2.

"Tuiching the commissioun givin to certan brethrein of the North, for absolving the Erles of Angus, Huntlie, and Erroll, from the sentence of excommunicatioun, the Assemblie ordeans Mr Peter Blekburne, in name of the rest, to give in, in writt, the whole forme of their absolutioun, and satisfactioun to the articles injoynned to them in the last Assemblie, to the effect the same may be registred in the bookes of the Assemblie."

MR DAVIDSONE PERSUED BEFORE THE PRESBYTERIE.

After the Assemblie was dissolved, the king directed Mr William Melvill, and Mr David Mackgill, Senators of the Colledge of Justice, with commissioun to the Presbyterie of Hadintoun, to compleane upon Mr Johne Davidsone, for his misbehaviour in the Assemblie holdin at Dundie, (so it pleased them to terme the

giving in of his protestatioun.) The presbyterie sent an officer to summoun him, with certificatioun.

Mr Johne compeered the nixt presbyterie day, howbeit with hazard of his life, in respect of his present weakenesse, and infirmitie of bodie, through sweating the night before. He said to the presbyterie, He mervelled that anie questioun sould be made tuiching that protestatioun, seing it was lawfull in itself, and the king himself found no fault with him, when he was present in the Assemblie, after the presenting of it. "I wish," said he, "that yee sould desist from suche dealing; not that I distrust my caus, but for his owne weale. The Erle of Mortoun never thrave after he medled with me, and said, before that mater was ended, he would have beene content to have givin ten thowsand pund why he had not entered into it." After reasoning to and fro, it was agreed that some brethrein sould goe in to Edinburgh the day following with Mr Davidsone, to advise with some brethrein in Edinburgh, and to goe with them to the king. He consented, providing the caus of the kirk be not prejudged in his person, and that he be not urged to passe from his protestatioun. The king would not admitt him to speeche, and directed his speeche to Mr James Carmichaell and James Gibsone, and called him a verie starke foole, an heretick, an Anabaptist, a tratour to him, to the commoun weale, to Christ, and his kirk. The nixt presbyterie day Mr David Makgill prosecuted before the Presbyterie of Hadintoun the actioun intended against him. But nothing [was] done, becaus Mr Johne was deteaned at home by a fever which seazed upon him. Upon the 26th of Aprile a pursuivant was sent from the commissioners of the Generall Assemblie to the Presbyterie of Hadintoun, to gett the extract of the processe led against him. It was denyed, and some brethrein were sent to conferre with Mr David Makgill. So the actioun, after lingering, at last deserted.

After the Assemblie, the king interteaned the Duke of Holster, now come through England to Edinburgh, and about the end of Marche directed Mr Edward Bruce to England in ambassage.

MR R. BRUCE HIS ADMISSION TO A PARTICULAR FLOCKE IN EDINBURGH.

Upon Fryday, the 14th of Aprile, the commissioners of the Generall Assemblie convented the ministers of Edinburgh before them. Mr Robert Rollocke was their mouth for the tyme. The king being present, he asked at Mr Robert Bruce if he was willing to accept a particular flocke, according to the act of the Generall Assemblie? He answered, "Yes." Nixt he demanded, How soone? He answered, "Als soone as yee please." Then, at the king's directioun, he said to Mr Robert, "Yee must have ordinatioun beside the rest." Mr Robert Bruce answered, He could not be made a spectacle more nor the rest; offered himself readie to obey the decreit of the Generall Assemblie, or to doe anie thing that anie other pastor of Edinburgh had to doe. Some promised to move his collegues to accept of the like. When he was neere satisfied, the king hearing, will have him onlie to accept of that ceremonie of impositioun of hands. He refused. They will him to advise till the morne after noone.

He went doun the morne to Mr Patrik Gallowaye's hous. After long reasoning, they came to this point, that they sould all take impositioun of hands als weill as he. He went with them to the palace. The king shewed him that it behoved him to take a new ordinatioun. Mr Robert answered, he heard no word of a new ordinatioun in the Generall Assemblie. The king affirmed the contrare. Mr Robert called him to remembrance, that there was mentioun made onlie of impositioun of hands. "That is alike," said the king. "Not alike, Sir," said he, "for this ceremonie may serve als weill for confirmatioun as ordinatioun." The king slipping from him, the commissioners desire him to enter in no further contestatioun with the king, promising to give him a testificat in writt, that this ceremonie was not for ordinatioun; and that Mr Robert Pont sould declare the same before the people, and approve his bygane ministrie, and pastorall calling there; and that

they sould caus the rest of his collegues receave the like impositioun.

He looked certanelie for performance of their promise. But the Lord's day following they caused an edict to be proclamed after the doctrine, for him and not for the rest, whereby he perceaved they meant to goe fordward with their ordinatioun. Mr Robert Pont seemed to be ignorant of the edict. Mr Robert Bruce therefore craved their promise to be subscribed in writt, and agreed with Mr Robert Pont upon a forme, which he promised to gett past, wherin he offered not to stand for the ceremonie of impositioun of hands, if they would use it as a ceremonie of entrie to a particular flocke, or ellis a ceremonie of confirmatioun in his calling; and willed them to acknowledge his former calling; certifeing them, that if they used it as a ceremonie of entrie to his ministrie, he would not accept of it. The commissioners who had caused serve the edict came up to the toun, to try what the people had to object against Mr Robert. The people, all with one consent, tooke instruments he was their lawfull pastor. After the people was dismissed Mr Robert addressed himself to the commissioners; asked why they had served an edict for him more than for the rest; desired them to be plaine with him, what was their meaning in that ceremonie, and to subscribe a ticket, which he had penned, wherin they sall acknowledge him to have had a lawfull calling to be a pastor in Edinburgh. They all refused to subscribe, or to acknowledge him to be a lawfull pastor in Edinburgh. Wherupon he tooke instruments, that he was willing to obey the act of the Generall Assemblie, and to doe anie thing anie other pastor of Edinburgh would doe.

He went doun to the palace, where hardlie he gott accesse to the king, in audience of Sir Patrik Murrey. He desired his Majestie would remove all jealouseis and sinistrous opiniouns he had conceaved of him, and to thinke of him as of a subject weill affected toward his service, wherof he sould give a prooffe, if it pleased his Majestie to imploy him. The king promised to thinke no otherwise of him, and said, he was weill content he sould remain where he was. At last, he desired to understand, whether it was pre-

ciselie his pleasure, that he sould take impositioun of hands or not; he could not thinke his Majestie would doe anie thing to disgrace his former calling, or to prejudge his former ministrie. If the commissioners seeke onlie a ratificatioun of his former calling, he would not stand with them for a ceremonie, so muche the rather becaus he saw his Majestie so bent upon it. The king answered, he had commanded Mr Robert Pont to approve his former travells and calling in his doctrine. He thanked the king, and desired onlie that he would gett a little ticket penned to that effect, past to him by the commissioners, which he promised to send to his Majestie incontinent. The king promised it sould be done. Mr Robert sent the ticket incontinent to Sir Patrik Murrey. The messinger returned with this answere, that Sir Patrik promised to gett it past, and to send it backe er eight houres at night. But so soone as Mr James Nicolsone and Mr Thomas Buchanan went doun to the Abbey the king was diverted; no answere was returned that night. Sir Patrik went over the water soone in the morning, before Mr Robert could come doun to him, and the king went out to the hunting. This was the day of the admissioun of the ministers to their particular quarters, to witt, the 18th of Aprile. The north-east quarter resorted to the Colledge Kirk, to receave Mr Walter Balcalquall and Mr George Robertsone; the south-east quarter to the Great Kirk, to receave Mr William Watsone and Mr Johne Hall; the south-west quarter to the Upper Tolbuith, to receave Mr Robert Rollock and Mr Peter Hewat; the north-west quarter resorted to the East or Little Kirk, where Mr Robert Bruce and Mr James Balfour sould have beene receaved.

Before the ringing of the bell, Mr Robert caused deale with the commissioners for a ratification of his former calling. They would subscribe nothing. The farthest could be obteaned was, that Mr Robert sould come in, and if he heard anie thing that did not lyke him, he sould be free to goe out. Mr Robert Pont, who made the sermoun, it being ended, entered in the actioun. After he had uttered manie things to the commendatioun of Mr Robert, and acknowledged him to have beene a minister in Edinburgh, law-

fullie called, at last he asked, if he would tak impositioun of hands. The other craved licence to make his answere in audience of the people. Mr Robert Pont giveth him place, so that they were both standing in the pulpit at one time, which was an uncouth sight. There Mr Robert [Bruce] proved before the people, that he laiked nothing that was essentiall to a lawfull calling. "Yitt now," said he, "it has pleased the Lord to try me, by calling my former calling in doubt; and the commissioners of the Generall Assemblie have urged me with a new ordinatioun to the ministrie, as if I had never beene a minister of Edinburgh. This new ordinatioun I could not accept, except I would proclaime myself to have runne unsent to this people these ellevin yeeres bygane. As to the ceremonie, becaus I take it to be indifferent, and may serve als weill for confirmatioun as ordinatioun, I will not refuse it, if that may please you," sayeth he, (directing his speeche to so manie of the commissioners as were appointed to attend the actioun in that kirk;) "onlie subscribe this ticket, that I may be sure that yee meane no other thing." So he read the ticket in their audience. He preassed Mr Robert Pont to subscribe it, and offered him the penne. But he refused, and cast it over the pulpit to Mr Thomas Buchanan and Mr James Nicolsone. The bailliffe, Cornelius Inglis, convoyed it to them, and requeisted them verie earnestlie to subscribe it. They refused altogether, but said they would ratifie whatsoever the preacher had spokin. "But," sayeth Mr Robert [Bruce,] "he hath testified the same in effect: testifie it by your hand-writt. If yee meane not truelie, why doe ye deceave both him and the people?" But in no cace would they subscribe for no requeist of the bailliffe, or the elders who were sitting beside them. Mr Robert perceaving their obstinacie, made him to withdraw himself, becaus he would not trouble their actioun. Which when Mr James Nicolsone perceaved, he moved Mr Johne Nicolsone to call for Mr Robert, and to move him to sitt doun upon the furme beside them, and he sould find contentment. Mr Robert cometh, sitteth doun beside Mr James, looking that Mr Robert Pont sould have dimitted them without anie farther ceremonie.

But he refused, and they would not subscribe the ticket. The elders sitting upon the furmes cryed all with a loud voice, "We acknowledge him to be our pastor!" and in tokin therof tooke him by the hand. They prayed Mr Robert Pont to give his blessing, and to admitt. But he refused, and went to the prayer, and so ended.

After noone some of the honest citicens of the toun, together with Mr Johne Nicolsone, went to the commissioners, desired them to report favourablie and truelie of the proceedings before noone. They promised muche, but performed little, and made a dangerous report to the king. The day following, Mr Robert [Bruce] and some citicens went doun to the king, but the commissioners preveenned him. Mr Robert was called upon, but none suffered to come in with him. The king asked, "What motioun was yon yee made yesterday in the kirk?" Mr Robert answered, "There was no motioun offensive." "What meane yee," said the king, "by going up to the pulpit?" "The people could not heare me where I satt," said Mr Robert. "I choosed the most commodious place, with the preacher's leave, to make my answere." "What said yee in the pulpit?" said the king. "I said, Sir, in effect," said Mr Robert, "that I had a lawfull calling, and the thing that was craved of me was not lawfull." "I darre say, upon my conscience," sayeth the king, "yee have no lawfull calling." "Your Majestie speeketh as you are informed, but I rest upon my inward warrant," sayeth Mr Robert. "Yee said to Mr Thomas Buchanan, yee had rather givin your life, er yee had done it," said the king. "Sir, after we came out of the pulpit, I said, my life was not so deere to me as the honour of my calling," said Mr Robert. "What writt was it yee urged them to subscribe?" said the king. "Even that same writt," said Mr Robert, "which they promised to subscribe both on Saturday and Moonday." "Who promised?" said the king. "Mr Robert Pont, Mr David Lindsey, Johne Duncansone, Mr James Nicolsone, and Mr Thomas Buchanan," sayeth Mr Robert. "They are false knaves then," said the king; and they themselves likewise denyed. Mr Robert offered to prove it by witnesses. Mr Thomas

Buchanan alledged he promised onlie to approve whatsoever Mr Robert Pont had said. "Weill," said Mr Robert, "but so it is, that Mr R. Pont called me a lawfull pastor." But Mr R. Pont and Mr Thomas both denyed. Mr Robert offered to prove his alledgance by an hundreth witnesses. Then the king asked him how he bewitched the people with his harangues? "Sir," said Mr Robert, "I use no harangues." Mr Robert Rollock sayeth to him, "So said yee, yee would not appeale to the Generall Assemblie again." "I thanke you for that, Mr Robert," said Mr Robert Bruce; "you are like to goe from difference in opinioun to malice in affectioun." "Answere to the point," sayeth the king; "yee have disobeyed the ordinance." "Sir, I have not disobeyed the ordinance of the Assemblie," said Mr Robert. "Yee have disobeyed the ordinance of the commissioner," said the king. "It ought to have beene intimated to me," said Mr Robert. "Read it to him, Mr James," said the king. It being read, Mr Robert said, "This is the first time that ever I saw it." "Remove you," said the king; "we will judge, notwithstanding, whether yee have disobeyed or not."

He is called in again incontinent, and declared that they had found him disobedient. He is removed again, and, after consultatioun, called on. The king shewed that it was his part to prevent discord, which was like to arise among pastors, and to knitt them up in unitie; and, therefore, he had taikin upon him, and that of his owne authoritie, to give him yitt a day to obey their ordinance. They would ratifie his former doctrine, and suche commissioun as he had borne in name of the kirk. He thanked the king, and asked if they would ratifie his former calling, that he had a lawfull calling to be a pastor in Edinburgh. "Will yee, Mr Robert, that we be plaine with you?" sayes the king; "I am not of that minde, nor is there anie heere will say that yee have a lawfull calling to be a pastor in Edinburgh; yee sall heare them all posed in your audience." So the king asked first at Mr Robert Pont. He was not resolved what to say. The king left him, and asked at Mr David Lindsey. Mr David said that he wanted impositioun of

hands. "Yee see, Sir," sayes Mr Robert, "he sayes not that I am no lawfull pastor; he voteth not so." "Mr David," said the king, "what say yee? whether is he a lawfull pastor or not?" He answered, "In respect he wanteth impositioun of hands, I can not say." Then the king asked Mr Robert Rollock. He directed his speeche to Mr Robert Bruce; "Sir, I grant yee have the presentatioun of the Generall Assemblie, and the consent of the people, and that verie great, but yee want ordinatioun." After him voted Mr Thomas Buchanan, Mr James Nicolsone, Mr Patrik Galloway, and Johne Duncansone. "Yee see," quoth the king, "they call you no lawfull pastor." "Sir," sayes he, "they obscure that conclusioun; I had rather beene buried, if the Lord would have assisted me, or I had voted to the like of them." Then he asked of Mr Patrik Galloway if he thought not his calling als good as his owne. "My calling is better than yours," said Mr Patrik. "Weill," said Mr Robert, "when yee drew upon us all this worke yee would have said otherwise; yee and Mr James Nicolsone formed the declinatour, and wrote letters unto the presbytereis." "Was Mr James Nicolsone," sayes the king, "one of them?" "Forsuith was he," said Mr Robert. "Can yee say no more?" sayeth Mr Patrik. "I can say more," said he; "yee have slipped from the caus, and left us out. As for my self, I thanke the living God I am not ashamed of it."

With this, Mr Robert was removed again, and they proceed to the sentence of deprivatioun, except he obeyed their first ordinance betuixt and the nynth of May. He was called in again. The king caused read the sentence to him. When he heard it, he said, he thanked God he was readie not onlie to suffer that muche, but the verie death in that caus, if it sould please God to call him to suffer; "and I hope, Sir," said he, "yee sall not charge me wrong in that caus, and it were to the verie scaffold." So he came furth, and declared to some of his freinds what was done. They advised him to goe ben again, and to appeale from their ordinance to the Generall Assemblie. So he sent for Alexander Frier, a notar, and went in when Mr James Balfour was called on; tooke instruments

of his appellatioun. The king sayeth to him, "What is that yee are saying?"—thinking to terrifie him. "Sir," sayes he, "I am appealling from this ordinance." "It is leasome," said the king, "to appeale and protest; why not?" A little before the day that Mr David Lindsey brought him the copie of the charge to leave off, he resolved to desist, after the expiring of the day, till some new appointment intervene. So, after the recept of the charge, he tooke his leave in the pulpit the fyft of May. The Presbyterie of Edinburgh giveth their approbatioun and testimonie to his calling as followeth:—

"2 *Maij*, 1598.

"The which day the brethrein of the Presbyterie of Edinburgh having rypelie advised upon the desire of their brother, Mr Robert Bruce, willing them to declare whether he had beene, and is yitt, a lawfull pastor of the Kirk of Edinburgh, having his calling of the Generall Assemblie thereto? the whole brethrein being present, gave their resolute answere, without contradictioun, that they had acknowledged, and acknowledge him to be a lawfull pastor of the said Kirk, by whom God in his mercie has wrought effectuallie in the said pastorall charge, and by whose travells the whole kirk and themselves have receaved great confort.—Extract out of the bookes, &c.

"Mr Charles Lumsden,
"*Clerk to the Presbyterie of Edinburgh.*"

Mr Patrik Simsone directed this letter following to Mr Robert Bruce, to confort him in this his exercise:—

"Right Honorable and weil-beloved Brother,—I receaved your letter, whereby I understand that your ministrie in Edinburgh these ellevin yeeres bygane had beene called in question. Deere brother, this is one of Satan's old fetches toward you, who, as he was a great stay to your entrie unto this holie calling, so he leaves not off yitt to practise his old and wounted malice against you. But be of good confort, Sir; the Lord, who sees that

the drift of Satan is against his owne kingdom, will fortifie the pillars of his owne hous, that they may stand out against the gates of hell. I am sorie to heare tell that our owne brethrein are instruments of your trouble; for they seeme to me to be als unmindefull of their owne speeches as Aaron was unmindefull of his owne doings when he stood up against Moses, his brother. For, notwithstanding the workes which confirmed the calling of Moses were wrought in the hands of Aaron, yitt he oppouned himself to his brother. In like maner, these brethrein manie tyme have givin good testimonie to your ministrie. But now, alace! they are become forgetfull of their owne words, which, notwithstanding, are writtin by the penne of God in their owne consciences; and yee have a witnesse in the secreit of their hearts that your ministrie is of God, and that it hath watered the husbandrie of God more fruictfullie than the ministrie of anie man who oppugnes the same.

"I perceave that Mr Robert Rollock stands muche upon the laike of ordinatioun in your ministrie; which moves me to mervell how he could call himself a minister of Christ's Evangell in Edinburgh, in his Analysis upon the Romans, and wanting, in the meane tyme, ordinatioun to that ministrie, if this forme of ordinatioun which yee want be so essentiall as he speekes. Also, it was not unknowne to him that yee laiked the ordinatioun, as the people of Israel wanted circumcisioun in the wildernesse. For yee were ever awaiting upon a good opportunitie when the people would divide themselves in competent parishes, to the end yee might be appointed to a speciall flocke which yee could goodlie attend upon. But to make an end of this point, if conscience moveth them to object this against your ministrie, they sould have objected it these ellevin yeeres bygane; and if anie other caus move them, the wayes of men may weill seeme good in their owne eyes; but the Lord pondereth the hearts.

"And concerning the mater, Sir, wherin yee crave my advice, my simple judgement is this: that incace the commissioners will approve your former ministrie, yee sall not stand to receave impositioun of hands of them, becaus the Generall Assemblie has so commanded,

and yee have promised to the king's Majestie (as appeares by the writt I receaved) to doe the same; and the hungrie soules of the Lord's people in Edinburgh earnestlie crave the confort of your ministrie. And, finallie, what ever iniquitie be in their hands at this tyme, I hope the Lord will pardoun it in Jesus Christ, if yee make earnest prayers for them, as Moses did for Aaron and Miriam: and the blessing of God be upon your ministrie, to whose protectioun I heartilie recommend you, both now and ever.

"From Stirline, the first of May, 1598.

"Your brother to command,

"PATRIK SIMSONE."

The Presbyterie of Edinburgh sent doun Mr James Balfour, Mr Walter Balcalquall, William Aird, and Mr Charles Lumisden, to the commissioners, to deale for Mr Robert. They agree with the commissioners upon a forme, and after presented it to Mr Robert. He corrected some words in it, and sent it backe to the brethrein. They directed it to Mr Patrik Galloway and Mr Robert Rollock. It lyeth beside them unanswered. Mr Robert is sent for to the king and commissioners, upon Tuisday, the nynth of May. The king urgeth him with obedience to their ordinance. Mr Robert answered, that the commissioners and he had agreed upon a forme, with advice of the presbyterie. Mr Robert Rollock draweth it out of his pocket, and presenteth it to the king. The king would not stand content with it, but reformed it at his owne pleasure, and gave it to Mr Robert to advise upon. Mr Robert conferred with the presbyterie, and seeketh their advice. At the first, some of the number perceaved not the deceate which was lurking under the words. But after noone, when they entered in new conference with the commissioners, they saw they meant not uprightlie in that forme which they had conceaved, therefore, urged the first. They would not condescend till they advised with the king: the king would not alter his forme.

Mr Robert being wearied, went out of the toun, to take the aire. Mr Johne Spotswod, now Archbishop of St Andrewes, being

directed from the commissioners, overtaketh him within halfe a myle out of the toun. He shewed to him that the commissioners mervelled that he sould depart out of the toun, the processe not being closed; and that he had answered for him, that in respect they had found him disobedient alreadie, and had proceeded to the sentence of deprivatioun, that he had no farther to doe, except that the king had charged him to attend upon his incomming. Mr Robert answered, he was charged onlie to attend before noone, and yitt attended both before and after noone. In end, Mr Spotswod said, he had power from the commissioners to offer him admissioun without anie ceremonie. Mr Robert desired writt upon that, and then they sould have an answere.

Upon Fryday, the 12th of May, Mr Spotswod, Mr Johne Preston, and Mr George Young, went out to Smeton to Mr Robert. He asked at Mr Spotswod, if he brought with him the writt which he promised? Mr Spotswod said, the commissioners were willing, but the king would not agree to it; and that he had brought another, little different from his owne. When Mr Robert would have made some animadversiouns upon it, Mr Spotswod alledged he was discharged to alter one syllabe. Upon the 13th of May, Mr Spotswod sent a letter to Mr Robert, wherin he made knowne to him that he had brought the king and commissioners almost to satisfie his desire; and sent a thrid forme, which he prayed him to agree unto; yea, he stirred up some of his cheefe freinds to urge him. So sindrie of Mr Robert's freinds, wrought upon by his craft, condemned Mr Robert, as if he stood onlie upon triffles. Upon the 14th day of May, Mr Johne Preston, Mr Johne Nicolsone, Mr George Young, went out to Mr Robert, and requeisted him to returne to the toun. He yeeldeth, and returneth the day following, that is, Moonday, the 15th of May, in the morning. Mr Andrew Knox, minister at Paisley, and after Bishop of the Iles, was sent to him, as appeared, by the commissioners. He travelled betuixt him and them for the space of three or foure houres. One of the bailliffes presented to Mr Robert a forme, assuring himself of the commissioners' consent, but that they would have him to subscribe

first. Mr Robert was content with the forme, and subscribed. But the bailliffes could not gett their subscriptiouns, howbeit some of them had promised. Mr Patrik Simsone travelled with the commissioners, but could not obteane that which was reasonable.

The day following, that is, the 16th of May, which was the presbyterie day, Mr Robert propouned to the presbyterie, and other brethrein conveenned out of sindrie quarters, if they thought it meete he sould take a new ordinatioun to the ministrie or not, craved their interlocutor, and removed himself. After a space he was called in, and they declared it was their minde that he sould not take a new ordinatioun to the ministrie. After noone the commissioners conveened together, with the whole presbyterie, and manie other brethrein. They sent for Mr Robert twise er he would come. At last he cometh. He asketh, whether it was his ordinatioun to the ministrie that was sought, or not? The commissioners would give no direct answere. Mr Robert bursting furth, in the greefe of his heart, said they had persecuted him extremelie, and had used tyrannous and imperious dealing toward him: that he could never remember that he ever abused anie of them in word or deid, or used anie recriminatioun, saving onlie against Mr Patrik Galloway, and that, compelled by his injurious speeches uttered before the king, at their last meeting in the Abbey. "And now," said Mr Robert, "I take my leave of you, brethrein, and wishe you from my heart rather to choose afflictioun than iniquitie." Mr Patrik granted he spake the words alledged, but that he spake them in respect he had impositioun of hands, which Mr Robert wanted. Mr James Balfour replyed, that he wanted impositioun of hands als weill as Mr Robert. Mr Robert went out, and left them at this debate. Some of the brethrein were directed to Mr Robert, and againe mended the forme. Mr Robert would not agree unto it, except they specified, in plaine termes, that the imposition of hands which they urged was not a ceremonie of ordinatioun to the ministrie. The commissioners refuse, and offered admissioun without all ceremonie, rather than to grant to insert that claus. Mr Robert was content to take admissioun as the rest had it. When

they perceaved him satisfied, they would have passed from their offer; but at last were brought to be content to insert his words in the last forme.

It is to be observed, that this impositioun of hands, wherabout all this bussinesse was made, was holdin for a ceremonie unnecessarie and indifferent in our kirk, whill that now, laying the foundatioun of episcopacie, it was urged as necessar. For it being layed as a ground, that none can receave ordinatioun to the ministrie without impositioun of hands, and that this ceremonie was proper to bishops, it behoved to follow that none could enter in the ministrie without impositioun of hands by bishops, who were to be brought in, according to the intent of the king and the commissioners, at that same verie tyme when they were so strict with Mr Robert, as the event hath made manifest.

The commissioners went doun to the king, and informed him what was done. The king yeelded at last, and appointed the nixt Fryday to be the day of his admissioun. Upon Wednisday, the 17th of May, the commissioners conveened in the East or Little Kirk, and sent for Mr Robert. He went to them, and desired to know in tyme whether they meant as they spake. It was long er they would answere. At the last they declared that they spake as they meant, and wrote as they spake. Mr Robert taketh the brethrein witnesse. Mr Robert Pont is appointed to teache. Mr Robert and he differed about the forme of the declaratioun which he sould use in pulpit, as he had found him ambiguous before, both by word and by writt. At last Mr Robert and the commissioners agree that the writt which he and they had subscribed sould be read, and serve for his declaratioun.

Upon Fryday, the 19th of May, Mr Robert Pont made a sermoun in the Little or East Kirk of Edinburgh; and after sermoun, and the declaratioun foresaid made, came doun from the pulpit, and layed hands upon the heads of Mr Robert [Bruce] and Mr James Balfour. The elders and deacons, sitting beside upon furmes, tooke them by the hands, and receaved them as their lawfull pastors. This difficultie had that faithfull servant of God in his entrie to the

charge of a particular flocke in Edinburgh. Before his entrie to the ministrie he was exercised with terrours of conscience, and called to that office not after an usuall and commoun maner. Since his entrie he has beene exercised sindrie tymes with the malice of men.

COMMISSIONERS CHOSIN BY THE SYNOD OF FIFE.

Since the last Generall Assemblie, all the care and travell of the commissioners was to gett suche three commissioners chosin by the synod as the king liked best of. The Synod of Fife conveened in Dumfermline, in the moneth of June. The Lord of Tungland and Sir Patrik Murrey were directed to them in commissioun from the king. The presbytereis gave in their judgements upon thir questiouns :—

1. After what maner he sall be chosin who sall have vote in parliament for the kirk: whether sall the kirk have nominatioun, and the king the choice, or contra? Cowper Presbyterie, guided by Mr Thomas Buchanan, thought that the kirk sould nominat five or six, out of which the king sould choose one. The other three presbytereis agreed in one, to witt, that the kirk sould make choice of their owne commissioners, and the king sould accept them, as the barons and burrowes doe.

2. How long they sould continue? Cowper Presbyterie answered, *Tota vita, nisi interveniat culpa:* the other three presbytereis, that they sould continue from one Generall Assemblie to another.

[3.] Cowper Presbyterie would have it a mater indifferent whether they were called bishops or commissioners. The other three thought the consequence of the name of greater importance, becaus the name of bishops now importeth corruption and tyrannie in the kirk; and, therefore, that they sould be called Commissioners of the Kirk.

4. Concerning the rent, all agreed that their rent sould be without hurt of other kirks, and not hinder the dissolutioun of benefices. Mr James Melvill protested, for his owne part, he would have nothing adoe with the forging or blocking of it in anie sort; for as he

saw it working, the best forme of it would bring in tyrannie and corruptioun, to the wracke of the kirk.

The cheefe care and travell of the king's commissioners was to gett suche three men nominated as the king liked best. Manie platts were devised. In end, they found the way to putt on the leits a good number of the three presbytereis, that they may be ridde of their votes; and having made moyen with the rest, they obteaned their intent; for Mr George Glaidstans, Mr Thomas Buchanan, and Mr Johne Fairfull, were chosin commissioners, by maniest votes, and these that were upon the leits were called in. When the sincerest sorte perceaved their devices, they would give no other commissioun, but to report faithfullie their judgement in the questiouns; to reasoun, vote, and conclude, according to the same; and to see *ne quid ecclesia detrimenti capiat*, *promitten*, to approve and allow nothing but that which they did lawfullie in that mater.

A CONVENTION.

About the end of June it was concluded, in a convention of the nobilitie, that there sould be a coine stamped of ten-shilling peeces, five-shilling peeces, and threttie-shilling peeces. Thomas Foulles was made Maister of the Coine-hous. The Bishop of Glasgow, a fugitive out of the countrie ever since the alteratioun of religioun, was restored to his honours, rents, and digniteis. Parteis at deidlie feed were to be charged to come in before the king and counsell, betuixt and a certane day of the nixt moneth, that they may be reconciled; with certificatioun, that the parteis disobeying sall incurre the king's displeasure: That a definit counsell sould be chosin, which was remitted to the parliament: That the Lords of the Exchecker sitt once everie yeere, and in June onlie; and that Moonday be a play-day, or day of vacance, of the sessioun and workemen.

A CONVENTION OF THE COMMISSIONERS AT FALKLAND DIRECTED FROM SYNODS.

The commissioners from synods conveened at Falkland in the moneth of August. Mr James Melvill went not to it, yea, he wished there sould be no generall meetings *rege præsidente*, unlesse it pleased God to turne the king's heart, and sett it otherwise; for he perceaved he was ever getting farther ground upon the liberteis of the kirk at suche meetings. Yitt the king and his commissioners found not suche furtherance in their course as they looked for. What was concluded by pluralitie of votes was related to the Generall Assemblie following, to which place we referre them. The Generall Assemblie which was appointed to be holdin the yeere following at Aberdeen, in Julie, was prorogued by the king's proclamatiouns, that he might have tyme to dresse and prepare maters.

MACKLAINE MURTHERED.

Upon the 4th of August, Macklaine, with a number of his freinds, were slaine treacherouslie by Sir James Mackoneill, his owne sister sonne, being invited to a tryst by the said Sir James, under pretence to sett marches for dividing of their lands. It was constantlie reported, that he was hounded out by the king; for the king never lyked of Macklaine after the 17th day of December. The suspicioun was confirmed afterward, in that there was no execution of justice for so villanous a fact. He made a faird about the beginning of September, as if he would goe to Kintyre and the Iles, and redresse Macklain's murther, and other enormiteis.

THE MINISTERS FIND FAULT WITH THE RESTORING OF THE BISHOP OF GLASGOW.

About the end of August, Mr Patrik Simsone, minister at Stirline, exhorted the king to bewar he drew not upon himself a secreit wrath, in setting up manifest and professed idolaters. Immediatlie after sermoun, before the last prayer, the king stood up, and forbade him to medle with these maters. The ministers of Edinburgh found fault with this behaviour of the king's, and the restoring of this idolatrous preest, meaning the Bishop of Glasgow.

THE LAW OF FREE MONARCHEIS PRINTED.

In September the king's booke, intituled "The Law of Free Monarcheis," was printed. The bent of it was directed against the course of God's worke in our kirk and ellis where, as rebellious to kings.

There was a conventioun holdin in the Palace of Halyrudhous, upon the 10th of December. At this conventioun it was concluded that there sould be a definit number of the king's privie counsellers, viz., threttie and one, wherof there sould be sixteene noblemen, and the rest officers of estat, barons, and gentle men, at the king's nominatioun: that they sould sitt in the Palace of Halyrudhous upon Tuisday and Thursday weekelie, after noone. They were solemnelie sworne and subscribed to give the king true and faithfull counsell, and to fulfill sindrie other things conteaned in the act of their admissioun. Their names, Ludovick, Duke of Lennox; Erles Cassils, Angus, Marr, Glencarne, Montrose; the Secretar, the Comptroller; the Lords Setoun, Livingstoun, Fleming, Uchiltrie, Newbottle, Fyvie; the Treasurer, Clerk of Register, Justice-Clerk, Privie Seale, Collector, Advocat, and Eleemosynar; the Commendatar of Kinlosse, the Bishop of Dunkelden, the Laird of Tracquair, Sir George Hume, then of Spott, and the Laird of Carmichaell. These were present, and the rest were reserved to

the king's nominatioun, as he thought good. At this tyme the coyne was cryed in again, in this maner: the unce of our owne fyne silver to be fiftie-three shillings foure penneis, and the unce of gold as is particularlie sett doun. Weapon-showing appointed to be holdin the first Moonday of May, June, and Julie. The conventioun being ended, the counsell beganne and held fordward according to the prescribed order. The Erle of Montrose was constituted president of the counsell.

Upon the 24th of December the queene was delivered of a manchilde in the Castell of Dalkeith.

Great feasting and pastyme at court at Christmasse, which offended manie, and speciallie ministers.

M.D.XCIX.

THE FOURE MINISTERS OF EDINBURGH CALLED BEFORE THE COUNSELL.

The king being offended at the ministers of Edinburgh for finding fault with the present corruptiouns, namelie, the restoring of Betoun, Bishop of Glasgow, the keeping of Christmasse, and the ydle Moonday, sent up Sir Patrik Murrey to Mr Robert Bruce, with certan acts of the Generall Assemblie, and to crave his answere in writt, whether he would be judged by them or not? After advisement he answered, by word, he could not refuse judgement; let the judge advise by what law he would judge him.

The commissioners of the Generall Assemblie, together with Sir Patrik Murrey, were sent from the king to the foure old ministers of Edinburgh, to crave their subscriptioun to some acts of the Generall Assemblie. Mr James Nicolsone shewed that his Majestie compted them branglers of his estat, and that he thought not himself secure, unlesse they subscribed these acts. Mr Johne Hall answered, that they had not come within the compasse of these acts; that they were content to be tryed, and to be judged

by them; but as to the subscribing of them it was a noveltie, and suche a preparative as they could not beginne. The king was not content with this answere, but imployed the president and some others of the counsell to conferre with them. But that conference tooke no effect, for they said they had never beene in use of injunctions before, and could not beginne then. So they were brought doun upon Moonday, the eight of Januar, to the king. They desired his Majestie to sett doun his propositioun in writt, that they might answere it in writt. They tooke his propositioun, and advised with it that night. Mr Johne Hall was sent with their answere in writt the day following. The king was not satisfied. They were sent for to come doun. They went. The king would have them to subscribe ather the affirmative or the negative. They answered, they were readie to subscribe the negative, if his Majestie would suffer them to adde their reasoun. He would not suffer, but removed them, and moved the commissioners to testifie against them, in writt, that they had refused to subscribe either of the parts of the contradictioun. The king accused them before the Secreit Councell. He professed before the lords that he dreaded them bodilie harme; that they were upon some conspiracie against him; his enemeis, men at whose hands he could never looke for good; and so desired the lords to add a certane punishment to the act of the estats. The lords voted that the punishment sould be arbitrarie, as his Majestie sould decerne, according to the qualitie of the cryme.

It was ordeanned that they sould be wairned to compeere that day eight dayes before the counsell. They compeere. The president and Lord Fleming were directed from the counsell to speeke with them. They desired them to heare patientlie whatsoever his Majestie sould speeke, and make no answere. They advised among themselves, and made this answere:—That if his Majestie tuiched their ministrie, it behoved them to stand to the defence of the same; otherwise, they had the lesse to speeke. They were called in. The king made a long harangue, and, in end, came to this point, that he would passe from all byganes, so that they would

promise there before the counsell to obey all his lawes and lawes of the Assembleis, speciallie the two acts made at St Johnstoun, one of the Assemblie, the other of the estats; that they sould not meddle with anie of his lawes and proceedings, without privie admonitioun preceeding, of what sort so ever they were; for they had before excepted in their writt maters of religioun, wherein God's honour was impaired, and the estat of the kirk endangered. They answered, with all humilitie and reverence, it behoved them to be comptable of their actiouns and of their ministrie. As to their actiouns, as they were opin to the view of the world, so they were weill content his Majestie and counsell sould try them, and so deale with them as they find them merite. As for their affectiouns, how reverent they were toward his Majestie's person and high calling, God, who onelie saw the secreits of their hearts, would beare witnesse one day. As to their ministrie, they were to make accompt to the Lord for it. Alwise, tuiching his Majestie's desire, they said they had givin their answere alreadie in writt, and with that produced it again. The king said he would have these two acts obeyed. They answered they would be content to be subject to them, that is, to be censured by them accordinglie, if they were found to have transgressed in anie sort; but obey the directioun of them they could not, but in so farre as they agreed with the Word of God. "Agree not the acts of the Assemblie with the Word of God?" sayes the king; "that was plaine Anabaptistrie." They answered, "We speeke, Sir, according to our light; and if anie man will let us see better out of the Word, we will yeeld to it." "That law sall yee obey," sayes the king. "Will yee, Sir," say they, "save our religioun as we have it alreadie established by our owne lawes, and the Word of God; in other things we sall keepe us, by God's grace, within the compasse of the act; but if anie thing sall be done, as God forbid, to the opin prejudice of our religioun, wherefore serve we, if we sall not show that the Word of God plainlie damneth it." "Will yee suspect me?" sayeth the king. "We suspect an angell, if an angell bring another gospell," say they. "Weill," sayes the king, "upon your

owne perrell be it. I assure you yee sall be punished, to the exemple of others;" and this he repeated oftener than ten tymes.

After this they desired, that seing they could not gett leave to bruike a good conscience, that it would please his Majestie to give them their dimissiouns, and lett them live as subjects in the countrie. "That perteaneth not," said he, "to the counsell. Give in your bill to me and my commissioners." They desired the interlocutor of the counsell what they thought of the mater, and so were removed. They were called in again. The chanceller shewed unto them the counsell would not meddle with it. The king beganne to threattin them in the end, saying, that nather Edinburgh nor Scotland sould keepe them, if they obeyed not these lawes. They asked the king what was the paine the estats had sett doun? "Your paine," sayes the king, "is according to the fault. If yee speeke against me, my crowne or estat, hanging sall be the paine for the first fault. If, otherwise, yee speeke against fish or flesh, or any inferiour lawes, the paine sall be the lesse." "In whose hands is the paine, Sir?" say they; "whether is it in the counsell's hands, or in your Majestie's hands?" The king answered, "It is in my hands, givin to my arbitrement." After this, in respect they had both the act of the estats and the act of the Assemblie against them, and in respect the king had intimated to them their punishment, they thought it meete to absteane till they might find a favourable interpretatioun of the act from the commissioners, to shew their unitie in minde with them.

The commissioners promised to give them their interpretatioun, and to avow it before the king. The day was sett, and they looked for it. But they disappointed them, and sent them doun to speeke with the king, as if the king had beene of a good minde toward them. They went doun, found the king readie to leape on, but gott never harder words, and at no tyme ever found him worse minded; never receaved they so manie injunctiouns at one tyme, and he assured them, goe where they would, they sould be forced to keepe them not onlie in this countrie, but in the nixt, if they came there; and sent them to Mr Alexander Hay, to gett them

from him. They went to Mr Alexander, and conferred with him. He promised to sett them doun in writt, and send them to them. Huntlie, the Duke, Erroll, were come to Edinburgh. This hard dealing with the ministers of Edinburgh was, no doubt, to breake them before Huntlie's comming.

MONTROSE CHANCELLER.

About the end of Januar, Johne Erle of Montrose was promoted to the office of the Chanceller, a favourer of the Popish lords. Upon the secund of Februar, Huntlie, Hume, and the Laird of Johnstoun, came to court, were weill receaved; men renowned for treasoun, raising of fire, killing, spoiling. About the same tyme Mr Johne Lindsey, secretar, dimitted his office to Mr James Elphinstoun of Barntoun.

THE DEATH OF MR R. ROLLOCK.

Upon the eight of Februar, Mr Robert Rollock, Principall of the Colledge of Edinburgh, and one of the eight ministers, ended his dayes. He was a man of good conversatioun, and a powerfull preacher, but simple in maters of church governement. The king and commissioners of the Generall Assemblie abused his simplicitie, that by his countenance to their course they might gett the moe followers. He was not ignorant that the godlie were offended with his cariage in these bussinesses; yea, it was told him plainlie, after the removall of Mr David Blacke and Mr Robert Wallace out of St Andrewes, that he sould meddle onlie with his schollers, for he knew not what the governement of the kirk meaned. He was greeved, yitt they held him on in that course. Manie are of opinioun, that if he had forseene the evill effects which have followed sensyne, he would never have beene drawin to it.

THE KING'S EXTREME MALICE AT MR R. BRUCE.

About the tenth of Februar, the king bringeth doun the Exchecker to his owne chamber, and there dispouneth a pensioun which Mr Robert Bruce had out of the abbacie of Arbroth, twentiefoure chalder of victuall, or thereby, Mr Robert not being cited nor heard, howbeit he had a gift of it for his life tyme, and letters conforme upon his gift. He assisted the Lord Hammiltoun's tenents against Mr Robert, when they suspended his charge. When that meane served not, he would meddle in the mater for his owne interesse. Mr Robert was readie to take up his peeces, if ather he would have keeped the pensioun in his owne hand, or bestow it upon kirks, as he pretended. But when the lords perceaved that he gave command to transferre all his right unto my Lord Hammiltoun, to give decreit in his favours, and that there was collusioun betweene them, the lords advised Mr Robert to proceed in his actioun. The king [was] oft present when the actioun was called, and threatned the lords; when he was absent, ather he sent for some of them, or sent his ring to others, and all to pervert justice. He was present when it came to voting, and perceaving Mr Robert was lyke to prevaile, he raged, and asked who durst be so bold as to vote in that mater in his favours? Foure or five of the number raise up and said, with his Majestie's reverence, except he would discharge them by his absolute power, they both durst and would doe their office. All voted with Mr Robert except one, who for feare durst not.

After the interlocutor was past in Mr Robert's favours, maters were referred to his probatioun. To pleasure the king, the probatioun was delayed till the nixt sessioun. His rage continueth. He sendeth for the advocats to caus them intend a new actioun against Mr Robert. When he heard that the Pryour of Blantyre, treasurer, sitting among the lords, had sent out a ticket to Mr Robert's procurators to come in and resolve the lords whether there was suche a claus in his gift or not, as was alledged, the king

cometh to the place of justice, accuseth the treasurer. The lords find no cryme in that he did, yitt, to please the king, they were content he sould be removed when that actioun came before them. The king was not satisfied, but commanded the treasurer to waird in the Castell of Edinburgh, and after sent some to desire him to give over his office. He refused, unlesse the king payed him what he was addebted to him. After that, he was charged to enter in Innernesse, and could never be at rest till he dimitted his office. These things fell out about the tenth of Marche.

It was crediblie reported to Mr Robert that the king, among manie despitefull speeches uttered to Mr Robert's disgrace, he said, "Were not for shame, if he had a whinger he would cast it at his face." There past not a Saturday for fyfteene weekes wheron the king did not send one messinger or other to trouble his meditatioun. At last Mr Robert imployed the queene to procure the king's favour, and receaved the king's answere out of her mouth in these words, That except he gave him suretie in writt, subscribed with his owne hand, that he would at no tyme męddle with him, his estat, lawes, or proceedings, he could no wise be content with him: if he would grant his hand-writt to that promise, he sould be in als great credit as ever he was, and have all things at command; otherwise he could not weill suffer him, for he went in betweene him and his subjects, and stirred up their hearts to rebellioun against him. Colonell Murrey made a motioun to Mr Robert to goe with him to Flanders, assuring him that the king would give him letters of recommendatioun. Mr David Lindsey, minister at Leith, advised him to provide for himself, for he saw it behoved ather to be the king's life or his, or both; and suche other terrifeing speeches he had. Mr Robert answered, he was content, providing it was done with consent of the presbyterie and his flocke. Meanes were assayed by the king's instruments to gett this done. When this failed, others were hounded out to terrifie him. The Clerk of Register, and sindrie other lords of counsell, advertised him that they were not his freinds that stayed him; "for," say they, "we have heard the king [say,] that he hated not Bothwell

with a greater hatred nor he doeth you." Mr Johne Hall, one of the ministers of Edinburgh, told him that he heard some of the commissioners of the Generall Assemblie say, that he was the onlie pest and troubler of the whole Kirk of Scotland. The truthe was, they would have beene ridde of him, becaus, als long as he stood in that place of the ministrie, he would be a great impediment to their proceedings.

Mr James Robertsone and Mr Andrew Lamb, directed from the Synod of Angus about the 29th of Aprile, proponed to the king a motioun made in their synod, to witt, that it would please his Majestie to draw the ministrie together, to be reconciled one with another, to the end they might be the greater barre against Papists. But the true and secreit drift intended was, that, under peace and concord, they might sett fordward their owne course. The king answered, he knew none of the ministrie to be at variance, except one man, who would nather obey God nor man; and if they would suffer him, he sould take order with him—meaning Mr Robert Bruce. Some of the commissioners of the Generall Assemblie laboured privilie to draw some of the ministers of Edinburgh from Mr Robert, as Mr Johne Hall and Mr James Balfour confessed to him, in plaine termes, before some brethrein of the ministrie. And yitt Mr Johne Hall, if not alreadie, was soone after, drawin to their course, howbeit a long tyme he covered himself, and so proved the more dangerous. Not long after, the king caused libell a new summouns against Mr Robert, to force him ather to suffer the actioun to goe with him, and so to cutt off his moyen, and disable him to live in Edinburgh, or, if he insisted, to putt not onlie himself in danger, but also all his freinds that loved him, als weill advocats as lords of the sessioun.

THE BISHOP OF GLASGOW THE KING'S AMBASSADER.

Betoun, Bishop of Glasgow, was not onlie restored to his benefice, but also authorized with ambassadge for his Majestie in France. In the meane tyme, that the king is so hote against Mr Robert, a

proclamatioun was made at the Croce of Edinburgh for May-games to have libertie, which muche displeased good men.

VENTURERS TO THE LEWES.

In the conventioun holdin in the beginning of Aprile, there was a contract made betuixt the king and the gentlemen venturers to the Lewes, upon certane conditiouns, speciallie for sufficient securitie made to them they sould pay to the king 140 chalders of beere yeerelie. Wherupon they tooke their journey toward the Lewes about the end of October, accompanied with 500 or 600 waiged men, beside gentlemen voluntars. A great number died of a fluxe, through the coldnesse of the yle, want of loodging, and other interteanement. The Laird of Balcolmie and his companie, passing in a boat out of the Lewes toward Orkney, were intercepted by some Hieland men, Mackenzie's followers, as was supposed. Some of his men were slaine, himself taikin, deteaned captive, and so hardlie used, that he contracted a deidlie disease, wherof he died in Orkney after he was sett at libertie. For which caus, by the meanes of a cheefe Hielandman, ten or twelve of the interprisers were apprehended and beheaded, and their heads sent in a pocke to Edinburgh, which were sett upon the ports.

THE KING'S SONE BAPTIZED.

Upon the 15th of Aprile the king's sonne was baptized in Halyrudhous. Huntlie and Hammiltoun were made marquesses, and sindrie gentle men knights.

MR ASHFEILD CONVOYED TO ENGLAND BY A STRATAGEME.

Upon the 12th of June the Lord Bowes, English ambassader, caused certan of his servants drinke Mr Ashfeild, an English fugitive, drunk in Leith, and had a coache in readinesse on the Sands to carie away the gentleman. He goeth out to take the

aire, and is intised to enter in the coache, about five houres at night or thereby, and was caried away to Berwick. The Lord Willebie sent in a trumpeter, with an aged gentleman, to shew Mr Ashfeild's hand-writt, that no violence was used toward him, but all was done with his owne consent, and therupon craved the deliverie of the captan and his freinds that used this stratageme. Wherupon they were delivered, and returned to England.

A FAST AGREED UPON.

Upon the 22d of June the ministers of Lothian conveenned in Edinburgh, at the king's appointment. Mr David Lindsey would have had the fast indicted by the last synod continued, till a generall fast, which was to be appointed in Julie, in a conventioun of ministers which was to be holdin at St Andrewes. The presbytereis all agreed to the keeping of the fast appointed at the last synod, seing it was not prejudiciall to the other. Johne Duncansone confessed, the king desired not the fast to be left off, but some causes to be omitted. Wherupon the causes were read, as they were penned by Mr Robert Pont himself, at the synod's command, as followeth :—

"*2d May.*

"Finallie, Forasmuche as after so long offering of the graces of God unto this unthankfull countrie, by the preaching of the Gospell, now by the space of fourtie yeeres bypast, the kirk perceaves suche a coldnesse and loathing of the truthe to be fallin out in all estats, that none can be excused therof; the ministers and teachers for their parts, for the most part being negligent to discharge their duetie, in free rebooking of suche enormiteis as fall furth in the countrie, and, in so doing, restraining the libertie of the Word, and bringing the blood of the soules that perish through their default on their owne heads; and the people of all estats, from the highest to the lowest, being become loathsome hearers therof, and not humbling themselves to the obedience and censure of the

Word, whereby it appeares that the Lord our God, in his just judgement, is moved to take away both the libertie of preaching, and to loose the yoke of discipline, which, by his great mercie, has beene established and continued among us; and to breake the hedge therof, by appearand setting up of these things that plainlie have beene damned concerning the spirituall governement of the kirk in tymes bypast, meaning the estat of Bishops."

Mr Robert Pont's advice was, that prayer sould be made at the fast, for the conventioun which was to be holdin at St Andrewes. Mr Johne Davidsone answered, "I pray God disappoint them that conveene in the name of man, and not in the name of God and his kirk, but by vertue of that Assemblie against which I protested at Dundie." In their reasoning about the fast, Mr David Lindsey said, the oppositioun of ministers to the king had done muche evill. Mr Robert Bruce and Mr Davidsone answered, that not oppositioun, but yeelding, had done muche evill; nather was oppositioun a yeelding so muche to the king as to some ministers, whom it became to be otherwise occupyed. Mr Johne Spotswod, now Bishop of St Andrewes, said, "Lett us not seeke worldlie ease, with the losse of the libertie of Christ's kingdom." With which words his father-in-law, Mr David Lindsey, was dashed, and the brethrein tooke a good conceate of Mr Spotswod.

A CONVENTIOUN OF MINISTERS AT ST ANDREWES.

In the meeting of the king and commissioners, with sindrie brethrein at St Andrewes, in the beginning of Julie, the king and commissioners obteaned a reconciliatioun and professioun of brotherlie love; as if the difference had beene onlie in opinioun and judgement concerning the acts and conclusiouns which were alreadie past. The conference of commissioners from synods was prorogued to November. At this tyme Montrose was made Chanceller of the Universitie, and Mr George Glaidstains Vice-Chanceller.

THE DEMOLISHING OF A PARPAN WALL A MATER OF CONTENTION.

Mr Robert Bruce is now the thrid tyme putt to an exercise, through the divisioun of the toun of Edinburgh into quarters. The first battell he had was about the entrie of two young men, Mr George Robertsone and Mr Peter Hewat. The nixt was with the king and commissioners, for the maner of his owne admissioun to his owne particular flocke. Now, the third falleth furth, about the demolishing of a parpan wall in the Great Kirk, to enlarge the East or Little Kirk, where Mr Robert Bruce and Mr James Balfour taught, and the building up of another; for there was not sufficient rowme for people resorting to that kirk, nor for commodious ministratioun of the Lord's Supper. Two acts were past the yeere preceeding by the Counsell of Edinburgh for demolishing; but the counsell chosin for this yeere refused. The presbyterie directed their commissioners to them. They answered, If his Majestie would consent they sould be readie. The presbyterie directed Mr David Lindsey, Mr Patrik Galloway, and Johne Duncansone, to the king. The king would in no cace consent. After that, two citicens were sent to the king, who obteaned, that if it were found by suche as sould be appointed to view and consider it, that it might be demolished without deforming the kirk, he would consent. It was found so. The king, notwithstanding, would have a conditioun that they sould be readie to cast doun the new wall again, in cace he had adoe, becaus it was the most spatious kirk, and comeliest, in tyme of conventiouns and solemniteis. The counsell refused to doe it upon that conditioun. Threttie of that north-west quarter offered themselves cautioners to goe betuixt the toun and anie danger which might ensue upon that warrant; yitt the counsell refused. Mr Robert and Mr James seeke transportatioun, but can not find a sufficient authoritie at this conventioun, holdin at St Andrewes, to loose them; therefore, the mater lyeth over to the Generall Assemblie.

In the same moneth of Julie there came from France an am-

bassader, called Monsieur Biron. His commissioun came not to the knowledge of the commoun people. He had in his companie a preest, who celebrated masse to him and his domesticks, whereso-ever he went in the countrie. The ministers found fault with this publict exercise of idolatrie. The king and counsellers said the priviledge of an ambassader could not be empaired. So there was no remeid had.

LETTERS IN THE KING'S NAME TO THE COURT OF ROME.

In the moneth of September, Secretar Elphinstoun drew up a letter, in the king's name, to the Pope, without the king's know-ledge, as he reporteth himself, for which he was troubled in the 1608 yeere. But it is not likelie that he would have beene so fordward for advancement of the king to the crown of England if the king himself had not beene privie to it, yea, an urger of it; howbeit, after, when he was troubled, (to procure the king's favour,) he did cast this cloke upon it. And yitt he atteaned not to his in-tent. His relatioun, as it is sett doun by himself, I have heere in-serted, as followeth:—

A TRUE RELATION OF THE SERVICE DONE BY ME, IN PROCURING THE LETTER TO THE POPE FROM HIS MAJESTIE.

"In the yeere of God 1599, in September, as I suppone, the verie tyme that Monsieur de Bethune came ambassader from the King of France, for renewing of the ancient league betuixt France and Scotland, the Archbishop of Glasgow having carefullie consi-dered the prejudice his Majestie susteaned, for laike of credit and intelligence at the court of Rome; and that by the publishing of Dolman's booke, and by the great moyen that the King of Spaine had painfullie established at Rome, for advancement of the Infanta her title to England, his Majestie's right was the lesse respected: And knowing Pope Clement otherwise to be weill-affected to the king's title, and jealous of the grandour of Spaine; having the ad-

vice of manie princes in Europ, his Majestie's most loving freinds, how convenient it was that some correspondence sould be keeped by his Majestie with the Pope, did move the same to me, then being his Majestie's secretar, as a service verie behovefull to his Majestie, and belonging to my place, speciallie at that tyme, becaus Monsieur de Bethune, who was the archbishop's verie tender freind, and verie willing to doe his Majestie the best offices he could, was, immediatlie after his returning to France, to be directed resident ambassader for the King of France to Rome. I presumed diverse tymes to move his Majestie in it, and found no scruple, except his Majestie could not yeeld the Pope his ordinar titles of *Pater* and *Beatissime*. I travelled diverse tymes with his Majestie, that a little ceremonie sould not impede a course thought by his honourable freinds to be followed, in a mater of so great moment: the ground of the letter sould be a courteous acknowledging of the Pop's past favours; a desire that a Scotish man might be a cardinall, that maters might be the more truelie caried betuixt his Majestie and him; and seing there were but two capable of it, the Archbishop of Glasgow and the Bishop of Vaizon, and the archbishop excusing himself, both in respect of his age, and his present service he had of his Majestie, as unwilling to accept of it, it was layed upon the Bishop of Vaizon. And for this caus, Sir Edward Drummond came at that same tyme (who was maried in Vaizon) to Scotland, to solicite the bussinesse. And if the Archbishop of Glasgow sould thinke meete, by advice of them who were best affected to his Majestie's service, at his returning to France, that he sould goe fordward to Rome, and follow the sute, wherin Monsieur de Bethune would be his freind, and doe his Majestie good service. This dispatche had a long dealing, and his Majestie was content to write to the Duke of Florence, Duke of Savoy, and some cardinalls, in favour of the Bishop of Vaizon, for his advancement, but continued still difficill to write to the Pope, onlie for scruple of his titles and styles. But in my earnest affectioun to the advancement of his Majestie's service, and to give other princes, his Majestie's freinds, satisfactioun how willing his Majestie was to em-

brace and follow their counsell, I caused draw up a letter in his Majestie's name to the Pope, wherin there sould be nothing hurtfull to his Majestie's honour, religioun, nor estate, and yitt to carie the sute that was thought convenient, with some few articles commoun to the Pope, the Dukes of Florence and Savoy. Of the which letter and articles, I have sett doun heere, as I protest before God, the just copie, and have the double under Sir Edward Drummond's hand, who was writter of the principall.

"BEATISSIME PATER,

"Cum variis ad nos perlatum fuisset rumoribus, quam diligenter nostræ sortis æmuli, sæpius egissent ut authoritatis vestræ acies in nos distringeretur, quâque constantiâ id pro vestra prudentia hactenus fuerit recusatum, committere noluimus quin accepti memores beneficii gratius ageremus, opportunam nacti occasionem, cum lator præsentium, natione nostras, vester ascriptitius, in fines ditionis vestræ reverteretur, quem pro sua indole vestris ornatum beneficiis, V. Sti. commendamus, ut eum in iis quæ nostro nomine habet impertienda, audire placide non dedignetur. Et quia adversus malevolorum calumnias, qui nostras in Cathlicos injurias falso commemorando, nobis invidiam, et ipsis gratiam conciliant, nullum tutius remedium agnoscimus, quam ut e nostratibus aliqui, veritatis studiosi, quantumvis a religione, quam nos a prima hausimus, infantia abhorrentes, honestam in curia Romana demorandi occasionem semper haberent, ex quibus V. Stas. certo possit, quo in statu res nostræ sint edicere, hoc nomine Episcopum Vazoniensem commendamus, qui ut sortis suæ qualecunque incrementum V. Sti. duntaxat refert acceptum : ita cardinalatus honorem, prioribus beneficiis nostra præsertim gratia adjici, obnixe rogamus. Sic inimicorum cessabunt calumniæ præsentibus, qui rerum gestarum veritatemque possunt astruere, nec actionum nostrarum ullam æques rerum æstimatores cupimus latere qui in ea religionis quam profitemur puritate enutriti, sic semper statuimus nihil melius, tutiusque, quam citra fucum in iis promovendis, quæ divini numinis gloriam serio spectant, pie contendere, et remotis invidiæ stimulis, non tam quid religionis inane nomen, quam veræ pietatis sacro-sancta

tessera requirat, charitatis, semper adhibit foment diligenter consideraturi. Sed quia de his copiosius cum latore præsentium, viro non inerudito, et in rebus nostris mediocriter versato, differuimus, longioris epistolæ tedio censuimus abstinendum. E. Sta. Cruce, 24 Septembris, 1599.

"Beatitudinis V. obsequentissimus filius.

"Summa mandatorum Edwardi Drummond, quem ad Pontificem Maximum, magnum Ducem Hetruriæ, Ducem Sabaudiæ, ceterosque principes et cardinales ablegamus.

"Salutabis inprimis nostro nomine quam potes officiosissime, Pontificem Maximum, cæterosque principes et cardinales; datisque nostris literis fiduciariis, significabis,

"Cupere nos vehementer eum quem decet, amoris et benevolentiæ modum cum iis conservare, omnemque removere, non suspicionem modo, sed et suspicionis levissimam quamcumque occasionem.

"Quod quamvis in ea persistimus religione, quam a teneris hausimus annis, non tamen ita esse charitatis expertes, quin de Christianis omnibus bene sentiamus modo in officio, primum erga Deum, optimum, maximum, deinde magistratus, quorum subsint imperio permanserint.

"Nullam nos unquam servitiam contra quoscumque Cathlicos religionis ergo exercuisse.

"Exoptare, ne mendatiis et calumniis inimici tantum possint, ut iniqui aliquid de nobis, Pontifex Maximus, et celeberrimum cardinalium collegium, nisi prius adhibita veritatis indagine velit statuere.

"Et quia plurimum interest nostris rebus, ut pari diligentia qua malevoli mentiuntur, nos per amicos et subditos veritatem possimus adstruere.

"Idicirco, ininteris in hoc totis viribus, ut Pontifex Maximus tam rogatu nostro, quam precibus illustrium principûm quos per literas nostras ad hoc rogavimus, ut hoc induci possit, ut Episco-

pus Vazoniensis in Cardinalium Collegium asciscatur, in quo si proficeris, ut de eo rediti fuerimus certiores, ulterius progrediemur.

"Cavebis, ne in hoc negotio ad Pontificem Maximum, aut illustrissimos cardinales, ulterius progrediaris, nisi primum subsit spes optati eventus."

Of the effects that followed upon this imployment of Sir Edward Drummond, these articles of credence, and the letter preceeding, we will heare in the owne place.

In the same moneth of September, Mr Johne Dykes, minister at Anstruther for the tyme, in place of Mr Robert Durie, who went to the Lewes, gave in to the Synod of Fife certane passages which he had drawin out of the king's booke, intituled "BASILICON DORON." The booke was not as yitt published; howbeit, by moyen, he had gottin a sight of one. The synod judged them treasonable, seditious, and wicked, thinking that no suche propositiouns could be mainteaned by the king. They sent them to him. The king, knowing that none durst exhibite the booke itself, sent Mr Francis Bothwell to apprehend Mr Johne Dykes. But he escaped, and fled als soone as he saw him. The conclusiouns, whereby they gott knowledge of the king's determinat minde in maters of the kirk, sett doun in that booke as a testament to his sonne, were speciallie these following:—

1. The office of a king is a mixed office, betuixt the civill and ecclesiasticall estat.

2. The ruling of the kirk weill is no small part of the king's office.

3. The king sould be judge if a minister vaig from his text in pulpit.

4. The ministers sould not meddle with maters of estat in pulpit.

5. The minister that appeales from the king's judicatour, in his doctrine from pulpit, sould want the head.

6. No man is more to be hated of a king nor a proud puritan.

7. Paritie amongst the ministers can not agree with a monarchie.

8. The godlie, learned, and modest men of the ministrie, sould be preferred to bishopricks and benefices.

9. Without bishops the three estats in parliament cannot be reestablished. Therefore, bishops must be, and paritie banished and putt away.

10. They that preache against bishops sould be punished with the rigour of the law.

11. Puritans are pests in the commoun weale and Kirk of Scotland.

12. The principalls of them are not to be suffered to bruike the land.

13. For a preservative against their poysoun there must be bishops.

14. The ministers sought to establishe a democracie in this land, and to become *Tribuni plebis* themselves, and lead the people by the nose, to beare the swey of all the governement.

15. The ministers' querrell was ever against the king, for no other caus but becaus he was a king.

16. Paritie is the mother of confusioun, and enemie to unitie, which is the mother of order.

17. The ministers thinke by tyme to draw the policie and civill governement, by the exemple of the ecclesiasticall, to the same paritie.

18. No conventiouns or meetings of kirkmen to be suffered, but by the king's knowledge and permissioun.

These conclusiouns were sett doun by the king, in the first impressioun of his BASILICON DORON.

Mr James Melvill, who hitherto had dishanted the meeting of the commissioners since the Assemblie of Perth, was now forced to repaire to them againe, not so muche for hope that he could doe anie good among them, as to procure some favour to his colleague, Mr Johne Dykes.

In the moneth of November, the king being made to understand

that a conference amongst the brethrein of all sorts would make his course to goe fordward peaceablie, and all his purposes to passe easilie at the nixt Generall Assemblie, sent his missives through all the provinces, and convocated the cheefe of the ministrie from all parts to Edinburgh, against the 17th of November. The summe of the conference, als neere as Mr James Melvill could remember, who sett it doun in writt immediatelie after, heere followeth :—

THE SUMME OF THE CONFERENCE KEEPED AT HALYRUDHOUS, 17 NOVEMBRIS, 1599.

The Preface.

Becaus the meetings of the last Generall Assemblie were factious, tumultuous, and confused, hote and unorderlike, least the lyke sould fall out at the nixt, his Majestie, with advice of the commissioners, thought meete to appoint this present conference, and call therunto of all sorts of the ministrie, zealous and fierie, modest and grave, wise and indifferent; wherin maters might be quietlie and gravelie reasouned, and a way prepared to a decent and peaceable Assemblie, wherin they may be decided and concluded.

The Propositioun.

The propositioun was, that it was permitted to everie one there conveened freelie to reasoun and show their minde, both upon things concluded in Assembleis and conferences before; as also, in things to be concluded that were yitt in deliberatioun, providing alwise, that no reasoun were brought against things concluded in Assembleis but onlie out of Scripture, which may justlie be brought and used against the constitutiouns of anie Assemblie.

The brethrein that stood for the established discipline, and disassented from whatsomever constitutiouns, acts, and ordinances, made in the late and new forme of Assembleis, prejudicall to the same, answered, they nather would nor could reason in these

maters, not being prepared therefore, nor meaning to prejudge the Generall Assemblie following. In the which, after the instructioun of God's Word, and calling for his wisdom, they purposed, by his grace, being called thereto, to speeke their minde cleerelie and fullie, as God sould furnish abilitie and warrant, by his Word and Spirit.

It was answered, that there was no prejudice meant to the Assemblie, but onlie a preparatioun for it. And incace anie having occasioun to speeke now, being writtin for by the king to that effect, keepe up his reasouns and minde, to stand in the head of a factioun therewith therafter in the Assemblie, he might be compted a false knave.

The brethrein being thus urged, accorded to speeke as they could remember presentlie; protesting alwise the safetie of the caus from hurt, that the Assemblie were not prejudged, and that it might be leasome to them to helpe their present speeches and reasouns, and bring out farther, as they might atteane unto, for the weale of the caus, at the nixt Assemblie. So the conclusioun of the Assemblie of Dundie was read, bearing, that it was needfull and expedient that ministers sould vote in parliament, and that that office was of a mixed nature, partlie civill, partlie ecclesiasticall, etc. In like maner, was read the things done at the conventioun of Falkland, after the said Assemblie, with the caveats for keeping of the said voters in parliament from all episcopall corruptioun, etc. And so, returning to the former conclusioun, the cheefe point of all, it was propouned, to be reasouned upon first, and the said brethrein required what they had to say against the same.

The brethrein answered, they knew no warrant of the Word of God for suche a conclusioun; desired, therefore, they might be instructed of the same by Scriptures, which if they could find they would willinglie agree, and stand content: if not, that conclusioun could not be made in faith.

There was an argument rather meaned nor propouned. Ministers were *cives, et libera capita*, and, therefore, according to policie, behove to give their consent to the making of lawes in parliament.

Answere, If a consent be necessar, it is doubted. But putt the cace it be, they consent to the law in parliament, ather by the lords or barons of the shyre where they were borne and remaine, or by the commissioners of the burgh wherin they were borne or dwell; for as to their ministrie, it is no part nor point of policie nor civill burgesship; or, if the mouth of the Lord be to be consulted, the commissioners directed from the Generall Assemblie sould be heard. No Scripture was produced, onlie a reasoun builded upon this principall, *Evangelium non destruit politiam: Atqui, hæc est pars politiæ; Ergo.* To the which it was answered, by distinctioun of *Politia* in lawfull and unlawfull; and the lawfulness therof behoved to be shewed by the Word of God, ellis Ethnick, Turkish, and Jewish Policie might stand with the Gospell. It was eneugh that the policie was not repugnant to the Word of God, howbeit the warrant of everie part of policie, and act of parliament or civill law were not produced. Therefore, said they, "Show yee the affirmative that it is repugnant to the Word, the probatioun wherof now comes upon you." It was, therefore, proved repugnant to the Word of God, and concluded by this syllogisme:—

That ministers sould be involved and entangled with the affaires of this life, namelie, of policie, civill judicatours, and effaires of commoun weale, is against the expresse Word of God.

But this conclusioun and office thereby imposed will entangle them; *Ergo*—

The propositioun is proved by the expresse word, 2 Tim. ii.:—Μηδεις στρατευομενος, εμπλεκεται ταις του βιου πραγματειαις; where the word πραγματεια meanes properlie effaires of law, jurisdictioun, and ruling of the commoun weale, as, 1 Cor. vi., πραγμα, for a civill actioun or caus.

It was answered, that that place tooke not away naturall economie and civill dueteis, which necessarlie this life requires; and the which must be done, and may be done of everie one, so that they involve not themselves, and entangle therin, to the hinder of their calling.

To that it was agreed that there were certan dueteis and simple

actions to be discharged now and then, for nature, œconomie, and policie, by everie one, and so by ministers also, for the helpe and not hinder of their cheefe and proper callings. But there was great difference betuixt suche actiouns and dueteis, to be done at certane tymes and occasiouns of urging necessiteis, and the discharging of a sett and ordinar office in a commoun weale, namelie, in the two greatest points of the majestie and princelie estat, νομοθετικη, and δικαστικη; that is, the making of lawes in a commoun weale, and judging of the subjects according to the same, in parliament, counsells, and conventiouns of the estats of the realme; which could not be done without entangling and envolving in effaires, and so, distractioun from the cheefe charge, as the place itself cleerelie declared what entangling was, viz., whatsoever might hinder the warriour from doing the duetie of a souldiour, and pleasing his captan. For which purpose, also, the weightinesse of the charge of the ministrie, and greatnesse of the cure of soules, was insisted into; and plainlie affirmed they knew never, nor felt never, the weight therof, that thought a civill office of government in the commoun weale might be undertaikin aad joynned therewith: where mirrilie was cast in the speeche of the Queen of England, when she makes a bishop: "Alas! for pitie," sayes she; "we have marred a good preacher to-day:" and the king exhorted not to marre his preachers so. For corroborating and strenthening of the reply, this syllogisme was subjoynned:—

That ministers sould be distracted from preaching the Word is against the Word of God:

But this will distract them; *Ergo*—

The expresse Word, Luke ix. verse 59, 60, 61, 62. Christ sayes to one, "Follow me;" who answered, "Lett me first goe burie my father." Christ answered, "Lett the dead goe burie the dead, and goe thou and preache the gospell of the kingdom of God." Another sayes, "I will follow thee, but lett me first goe take order with my hous." Christ answeres, "No man putting hand to the pleughe, and lookes backe, is meete for the kingdom of God." Heere are most needfull naturall dueteis and œconomie, which

Christ expresselie forbiddes for staying of the preaching of the gospell, and attending upon the ministrie. How muche more then incompetent offices, *quæ sunt Cæsaris et reipublicæ*, as we will show heerafter? The expresse Word is, Acts vi. The twelve apostles say to the rest of the disciples, "It is not equitable, nor to be approved, that we sould leave the Word of God, and serve the tables; therefore, lett deacouns be hosin and apointed." If the apostles would not leave the preaching of the Word for an ecclesiasticall office, becaus of distractioun, muche lesse would they that ministers sould leave their ministrie of the Word for civill and impertinent.

Thridlie, The Scripture calleth ἀφορισμένους, (Rom. i.,) separated and sett apart. And wherefra? Questionlesse from the occupatiouns of this life, to save the people and themselves, and draw them by the gospell to the life everlasting; to fish them out of the sea of this world to God and his kingdom of heaven. So the whole nature of their calling is separated, and sett apart from the world, to the which they sould not be called backe againe, muche lesse therin involved and drowned.

Fourthlie, The Lord's ministrie under the law is called a warefare, (Numb. iv.,) and his ministers warriours. And so in the place alledged in the New Testament, the sacrament and oath wherof is most strait, and no wise suffereth distractioun. For them was allotted no inheritance, but [they] had the Lord for their inheritance, Deut. xviii. 1; Jos. xiii. 14. They say to their father,—I respect him not;—they ken not their brethrein,—they acknowledge not their sonnes; but keepe the Lord's word, and observe his covenant, teache Jacob His judgements, and His law to Israell; sett incense before His face, and burnt-offerings on His altar, Deut. xxxiii. Then, muche more the ministers of the New Testament, becaus of a greater and cleerer grace spirituall, and free from beggerlie ceremoneis and elements of this world.

And last, to conclude this point with that most weightie and grave attestatioun of the Apostle to Timothie, (ii. 4,) "I attest thee before God, and the Lord Jesus Christ, who sall judge the quick and the dead, at his appearance and kingdome; preache the

Word, be instant in tyme and out of tyme; correct, reprove, exhort, with all long-suffering and doctrine." And in the Fourth of the First, "Take care of thir things; be about thir things." And are these things spokin to Timothie onlie, and not to all ministers and pastors? And if they be spokin to all, what tyme, I pray you, is left to be imployed at parliament, and in the effaires of the commoun weale? The devill is a bussie bishop, and goes about lyke a roaring lyoun. And who sall give a compt of the torne sheepe, or stollin in the pastor's absence? And, finallie, that threefold demand to Peter, "*Amas me?*" and charge, "*Pasce oves,*" &c., perteaned it not to all?

It was objected, that we fell in the same absurditie with the Papists, that gathered their *cælibatus* out of the words of the apostle, (1 Cor. vii.,) "*Conjugatus curat quæ sunt mundi, quomodo placeat uxori.*" And if one with an ecclesiasticall and pastorall charge may have the charge of wife and familie, wherefore not of the commoun weale? And the apostle sayeth, that he that cares not for his familie is worse nor an infidele. It was answered, that the Papist's argument was frivolous, from the abuse of mariage to the taking away the benefite therof, being appointed by God, and rightlie serving for the helping of man in his calling; and nothing lyke unto this, wherin an evident entangling and distractioun may be seene. And to answere to the caring for the hous, and for them that are therin, that is meanned for instructioun, and ruling therof by Christian discipline, as is evident out of thrid chapter, verse 4, by the word προσωμαι. "He that can not rule and governe his owne hous, how sall he have care επιμελητα, of the kirk of God?" For the apostle is cleere in this point, (1 Cor. ix.,) that the flocke sould provide for their pastors and their famileis the things that are needfull for this life, as the captan or prince for his souldiours, and they made free to attend on their service.

It was insisted that there was als muche distractioun and tyme spent in our commissiouns and visitatiouns, in awaiting on platts and pleying of stipends, attending on parliaments and conventiouns, &c. Answered, that these were the wants, imperfectiouns, and

corruptions of our kirk, as yitt not weill constituted, wherof the fault is in the magistrats and flockes, shewed, compleanned upon, and rebooked at all occasiouns, by the Word of God, which have no place to prove anie thing in this mater, *ubi quæritur, quid fieri debeat, non quid fiat.* And as for commissioners for visitatioun, we are occupyed therin in our owne subject, in preaching the Word, exercising discipline, and using of censures, and that not ordinarilie or by sett office, but *ex necessitate ecclesiæ, et pro re nata.*

It was further insisted, that we granted to obey, and come to the king's Majestie whensoever he called for us, which was all one with that in questioun. Answered, his Majestie now and then calling for us, we might repaire to his Hienesse, and give our advice in all things *de jure divino,* or otherwise, as *cives,* so that the benefite redounding to the kirk or commoun weale thereby preponderat and weygh doun the hurt of our particular charges. But it was *longe aliud* to have an ordinarie office to discharge in the king's counsell and parliament. For (as was tuiched before) there is a great difference betuixt a certan actioun to be done now and then, as necessitie and occasioun craveth, and a sett office to be ordinarilie discharged.

It was objected, that the Generall Assemblie had alwayes, from tyme to tyme, craved this voting in parliament; and now, when the king offereth it, it was evill thought of and refused. Answered, the Assemblie had often tymes craved that none sould vote in parliament in name of the kirk but suche as bare office within the same, and had commissioun therefra; but that anie Generall Assemblie before the last in Dundie had determined that ministers sould vote in parliament, it was flatlie denyed; and it was shewed that oftin tymes that questioun had beene agitated in Assembleis, and amongst brethrein, but could never be found how it could stand with the office of a minister to be a lord in parliament, or was able to be shewed by the Word of God.

It was then demanded, who could vote for the kirk, if not ministers? Answered, it might stand better with the office of an elder or deacoun nor of a minister, they having commissioun from the

kirk, and subject to rander a compt of their doing at the Generall Assemblie; and that, indeid, we would have the kirk als faine injoying her priviledges as anie other, and have his Majestie satisfied, and the effaires of the commoun weale helped; but not with the hinder, wracke, and corruptioun, of the spirituall ministrie of God's worshipping, and salvatioun of his people.

It was replyed, That it were better for ministers to be their owne carvers, and see to the weale of the kirk, both in the ordering and provisioun therof themselves, rather nor committ it to others, who would care but slenderlie for it. Answered, That the king and his nobles gave the ministrie credit and onlie place in spirituall maters, so that they would not take the sacraments, or other benefites of the kirk, at their owne hands, nor of the hands of no other; they would not thinke their barnes weill baptized, nor the Supper weill ministred, nor their mariage blessed, but by some minister. And if his Majestie give us suche credit, authoritie, and place, in things perteaning to the soule, as proper to our office, why sould we not give him and his lords the like in things perteaning to the bodie and this life, as proper to them and their office, and thinke it als great absurditie to medle therewith our selves? &c.

It was objected, That the kirk was in possession of voting in parliament by bishops, viz., Mrs Johne Dowglas, Patrik Adamsone, David Cunninghame, and others. Answered, Since the Generall Assemblie holdin at Dundie, *anno* 1580, where that office of a bishop was declared unlawfull by the Word of God, the kirk cryed out continuallie against them, and excepted against all their doings in parliament, or ellis where, as having no lawfull office in the kirk, nor no commission from the same.

Therafter, place being givin, there was produced another argument to shew the conclusion repugnant to the Word of God.

That ministers sould beare supremacie, dominioun, and be called Lords, is repugnant to the Word of God:

But the conclusioun imports that; *Ergo*—

The propositioun is cleere, out of the three Evangelists, Matt.

xx., Mark x., Luke xxii.; and 1 Peter v. 3; and "*Nolite vocari Rabbi*," &c. This reasoun was not insisted into nor answered, for want of tyme, like as also another in the same maner:

The confounding and mingling of jurisdictions distinguished in the Word of God is repugnant thereto:

But the conclusioun imports that; *Ergo*—

The propositioun is evident, 2 Chron. xix.; and "*Quis constituit me judicem?*" and "*Date quæ sunt Cæsaris Cæsari, et quæ sunt Dei Deo*," &c. Christ refused to divide the inheritance among brethrein, to judge the adulteresse, John viii. He refused to be made king, and professed his kingdome was not of this world.

Heere was declared at lenth, and verie weightilie, by Mr Andrew Melville, by what meanes and degree the Pope was hoised up into that chaire of pestilence, wherout of he tyrannizes over all kirks and commoun weales, tramping kings under foote, and transferring their crowns and dominiouns at his pleasure; and all from this usurping of both the powers and sword, the civill and ecclesiastick. In end, a sikkir[1] caveat was givin to the king, to bewar he sett not up suche as sould cast him or his doun.

And this muche anent the conclusioun of the last Generall Assemblie, as memorie might serve.

Therafter were propouned the two points, left by the said Assemblie to the meeting at Falkland, and there also left undecided or determined upon: 1. If these voters in parliament, being once chosin by his Majestie and the kirk, sould beare that office *ad vitam* or *ad culpam*, and so be perpetuall; or if they sould be alterable from tyme to tyme at the Assemblie's pleasure? 2. If they sould beare the name of bishops or not?

Against the perpetuitie, the distractioun from their spirituall office of the ministrie was muche urged again, showing cleerelie, that suche a continuall change and burthein lying on a few, could not but debausche and distract them alluterlie from the pastorall

[1] Secure, firm.

attending and feeding of their flockes, the which they behoved to committ to some suffragans and vicars. For the perpetuitie, these arguments were used :—

First, That there would no man take the paines, and make the expences, upon the title of the benefice, to give it over the nixt yeere to another. It was answered, That we were not upon men's particular commoditie, but seing what might be for the helpe and good of the kirk and commoun weale, to which suche would never doe good who were seeking their owne honour and wealth.

Nixt, it was reasouned, that the hinder of all commoun turnes was by two enlaikes cheefelie ; one, of skill and understanding of maters, and right way of proceeding therin ; another, of continuance and attendance constantlie on them, being once begunne, till they were brought to some point and effect. But so it was, that if these commoun men sould be changable, they could nather learne skill nor prosecute things ; *Ergo*—

Answere, They might gett more skill of the witt and lawes of men, and lesse of the wisdom and Booke of God ; make more attendance on court and the world, but lesse on Christ and his kingdom ; and it was hard to perswade us, that few would see so muche for the weale of the kirk, as a whole Generall Assemblie conveenned for that effect, or follow out a good commoun caus better, and more constantlie, seing experience alwayes taught, that they who will be riche and honourable are muche about the same, and verie little for Christ.

At last these reasons and inconveniences were brought out, dilated, and insisted into, against perpetuitie :—

First, It would breake the barres of all their caveats, and without doubt establishe lordship over the brethrein, tyme strenthening opinioun, and custome confirming conceate. And if the best devices have by tyme turned to corruptioun, muche more this, of the lawfulnesse wherof we justlie doubt. To this was answered, That paritie among ministers was not to be like, and sould not be ; and putt the cace it behoved to stand, becaus of our constitutiouns and

order, they sould be *pares* and like, as ministers, howbeit, in respect of their civill office and lordship, they were above the rest.

Nixt, Perpetuitie would bereave and defraud the kirk of the benefite of electioun, and choice of the meetest for the tyme, *pro rei natæ commodo.* For it is sure that all men are not meetest for all turnes, &c. Answered, The meetest sould be chosin at the beginning, who would grow ay meeter and meeter. Also, that it was free to the kirk to adjoyne suche as they pleased to them, for counsell and assistance. It was replyed, That such as were adjoyned would not be heard to reason nor vote in parliaments, conventiouns, and counsells.

Thridlie, Manie alteratiouns befall to mortall men. They may be sicke in bodie, fall in offences, which, albeit they make them not worthie to be deposed, (*nam facilius ejicitur, quam non admittitur hospes,*) yitt may disgrace them so, that they become unable and unmeete to doe anie good in commoun turnes; they may tyne the gifts of minde and utterance, &c. In suche caces, this perpetuitie will defraud the kirk of one in that rowme. For suche a man, one or moe can not, nor will not, be deposed, and a commissioner in his place will not be admitted. It was answered, The number of ministers admitted and ordeanned to vote, viz., fiftie, was so great, that howbeit one, two, three, foure, ten, or twelve, were away, there might be anew[1] behind. Replyed, It would be long er suche a number were weill sett doun and provided with good lords' livings in Scotland; and when they were, there might be anew, and more nor anew, of the goodnesse they would be of; but one good man might be more stedable to the kirk nor fifty-one of that sort.

Fourthlie, If these men serve for the prince and state, howbeit against the weale of the kirk, the prince will mainteane them, ather by his authoritie and moyen amongst the brethrein in Assembleis, having their life and geare in his power, so that they will not feare depositioun; or, howbeit the Assemblie would depose

[1] Enough.

them of the ministrie, yitt would the king caus them keepe their lordship and living; and so sould they sett themselves to be avenged on the kirk, to her wracke. Answered, There was no thing so good but might be both ill suspected and abused, and so we sould be content with nothing. Replyed, That we doubted of the goodnesse, and had over just caus to suspect the evill of it. Duplyed, That there was no fault, but we were all true eneugh to the craft; but God make us true eneugh to Christ, say we.

Fyftlie and last, This perpetuitie will overthrow the power and libertie of the Assembleis of the kirk, and alter the Christian governement of the kirk to antichristian hierarchie, placing perpetuall commissioners or bishops above ministers and their Assembleis; and syne some ministeriall head must be above them, the high way to Poprie; at least, the whole power of the kirk and Generall Assemblie in the hands of these twelve or threttein, who, I warrant you, will take no limited commissioun from the generall kirk, but to reasoun and vote as they thinke best for the weale of the kirk, for suith! So this epitome will abolishe the great worke, and the Generall Assemblie will become to be but a chapter of these bishops, and skarselie that. Answere, The caveats have provided for all these inconveniences weill eneugh. Reply, These commentars will be tedious to read, and ill to remember.

In end, there was alledged a number of inconveniences that sould fall out, if these voters were not perpetuall. 1. That his Majestie and estats would not admitt them in parliament otherwise, and so we sould lose the great benefite. Answere, "*Facilis jactura.*" 2. That the ministers sould ly in contempt and povertie. Answere, It was their Maister's cace before them: it may serve them weill eneugh to be as he was; and better povertie with sinceritie, nor promotioun with corruptioun. 3. That others would be promoved to that rowme in parliament, (for his Majestie could not want his three estats,) who would oppresse and wracke the kirk. Answere, Lett Christ, the King and Avenger of the wrongs done to his kirk, and them deale togcther, as he has done before: lett see who

getteth the worst. 4. That it could nather stand for the weelefare of the king, kirk, nor commoun weale. Answere, It was best that God thought best. 5. That it would be fashous and confused everie yeere to choose commissioners. Answere, No profite nor pleasure without paine takin, and experience had proved it most easie and orderlie. 6. That it would breed variance and contentioun whill one end would preasse to have suche, another suche, and so fight. Answere, Take away profite and honour, and contentioun will ceasse. 7. Men would be that way disgraced; now sett up, and now sett by and cast doun, and so discouraged from doing good. Answere, He that thinkes it disgrace to be imployed as God's kirk thinkes good has little grace in him; for grace is givin to the lowlie.

Thus, after a three or foure houres' dealing in the former heeds, it was thought insisted long eneugh therin; and, therefore, the point remaining, concerning the name that these voters in parliament sould beare, was propouned to be reasouned upon.

It was reasouned for the affirmative, that agreing upon the mater and substance, it made not what name was givin it. And seing the parliament last had granted to the mater, under conditioun that the ministers voting in parliament sould beare the name and office of bishops, which was also a name of Scripture, we sould not stand to agree thereto, least the refusing of the name sould make the benefite to be refused, which his Majestie had gottin past in favours of the kirk, with great paine and difficultie. It was answered, That the name επισκοπος, being a Scripture name, might be givin them, providing, that becaus there was some thing more putt to the mater of a bishop's office than the Word of God could permitt, it sould have a little eeke putt to the name, which the Word of God joyned to it; and so it were best to baptize them with the name that Peter, cap. iv., gives to suche like officers, calling them αλλοτριοεπισκοπους, were not they would thinke shame to be marshalled with suche as Peter speekes of there, viz., murtherers, theeves, and malefactors. And verilie, that gossop at the baptisme (if so I darre

reply with that word) was no little vokie[1] for getting of the bairn's name.[2]

But in earnest, it was reasouned in the contrare, that the name of bishop could not be givin them, for these reasouns, the which were not fullie handled nor replyed unto, partlie for want of tyme, and partlie for want of patience, because of little speed in the purpose :—

1. If they sould gett the name of bishops, they behoved to have it, ather as it was taikin properlie in the Word, or as it was commounlie conceaved by the people. But neither of the two could they. Not as in the Word, becaus it sould be applyed to signifie that which could not stand with the Word, as has beene declared, except it were *Judas episcopatus*. And not as it is commounlie taikin, for then it sould import the corruptioun of antichristian and Anglican bishops, contraire to the caveats.

2. That which offends the Kirk of God sould be eshewed, although a thing indifferent, for so it becomes evill. But the name of Bishop offends the Kirk of God : *Ergo*—

3. That which justlie may slander the ministers, and bring them in disgrace, sould be avoided. But giving unto them that name will justlie slander them, becaus these twentie yeeres their doctrine from the pulpit has sounded against bishops, till they were utterlie overthrowne. And now, so soone to turne our tongue, for hope of riches and promotioun, and change our note, with the cloke on the other shoulder, will it not offer just occasioun of slander?

4. That which may, and will bring in tyrannie and corruptioun in the kirk, is not to be admitted within the same. But this will doe it. For bearing that name, which carieth with it the signification of bishops' corruptions among the people, all the caveats will not keepe it therefra, namelie, from inequalitie, pre-eminence, and lordship over the brethrein. For they will be so esteemed and saluted among the rest of the lords in parliament and court; and, I warrant you, their maners and fashiouns will easilie frame therunto, bringing from court to kirk suche behaviour as they drinke in there.

[1] Vain. [2] This was Mr A. Melvill.—*Note in the Original.*

For being called "Lord" at everie word, and bruiking principall rowmes in court and parliament, they will looke verie sowre if they want the same in the kirk, and amongst the brethrein and people; yea, and be sickker in their, even at platt, court, and otherwise, whom they thinke to contemne them, and not give them their stiles and honours. And so, for that night late, we were dimissed.

Upon the 19th of November, the brethrein writtin for being assembled again with his Majestie, the moderator repeated shortlie the things conferred upon the last day, requiring yitt, that if there was anie man that was not satisfied tuiching the heeds conferred upon, that they would yitt insist, and if all were satisfied, they sould proceed to the points remaining anent the name. It was answered plainlie, by the brethrein that stood against this new forging of bishopricks, that they had heard to and fro reasoning upon the points propounded; they were throuch and satisfied in their owne judgements for the truthe; and rather confirmed further therinto, nor anie wise moved to the contrare, for aught that had beene spokin, wherin they had heard nothing out of the Word of God which might warrant that conclusioun of the last Assemblie to their conscience, or anie thing yitt builded, or to be builded therupon. And, in speciall, Mr Andrew Melvill appealed the moderator, Mr David Lindsey, most weightilie and vehementlie on his conscience, that, seing he was one of the ancient fathers of the kirk, who was present at so manie godlie and grave Assembleis, holdin so manie yeeres anent these maters, and wherin they were cleerelie decided by the Word of God, how could he now make suche a propositioun, or thinke that anie sattled man in the truthe could, by a light conference, (wherin the Word of God had beene rather profanned, than holilie, reverentlie, and gravelie used,) be moved to alter his judgement, and be satisfied in the contrare? The word of profanning of the Scripture was taikin in verie evill part by the king, and answered courteouslie with a lee, howbeit the speeker condemned himself for unduetifull handling of the Word, als weill as anie other. So the king, in end, brake off the conference thus, in effect: That he had beene moved by the commissioners to ap-

point this conference, for satisfactioun of suche as were not resolved, that maters might proceed more peaceablie and uniformlie. But seing he perceaved men to be so full of their owne conceats, and pre-occupyed in judgement, that they pleased themselves more and more, and were rather confirmed in their opiniouns nor moved to give place to reason, he would leave the mater to the Assemblie. If the Assemblie would receave the benefite which he offered, and conclude in the mater accordinglie, he would ratifie their conclusioun with a sanctioun civill of his law, that none following their particular and privat conceate and opinioun sould be permitted to speeke against the publict ordinance of the Assemblie. If the Assemblie would not embrace the benefite, lett them wyte[1] themselves, if greater povertie and contempt come upon the kirk. As for him, he could not want one of his estats: he would putt in that rowme, and these offices, suche as he thought good, who would accept therof, and doe their duetie to him and his countrie.

But the true causes moving the king to appoint this conference were two: The one, that if he could obteane the unanimous consent of these that were conveened, who were the cheefe men of note in our kirk, he assured himself their judgement would be followed in the nixt Assemblie, where they themselves would be principall members. The other was, that incace they could not be drawin to consent in judgement, yitt the reasons of the other partie, standing for the former discipline, sould be made knowne, and his owne partie made foreseene how to answere in full Assemblie; by shifts and cavillatiouns how to suborne their owne followers, or to hold off the dint of anie argument, by interruptions, digressions, taunts, or terrours and threats, as experience proved after.

As at meetings and Assembleis, faithfull ministers opposed themselves to this corruptioun of erectioun of bishops in their verie entrie; so did diverse, in privat, consider the mysterie of iniquitie that was lurking in this course, and communicated their observations to others. As, for exemple, heere followeth:—

[1] Blame.

THE OPINIOUN OF A FAITHFULL WEILL-WILLER TO THE KIRK OF SCOTLAND, TUICHING THEIR DEMAND OF HAVING VOTE IN PARLIAMENT, AND THE KING'S ASSENT THERUNTO, UPON THESE CONDITIONS:—1. THAT SUCHE AS ARE TO HAVE VOTE SALL BE NOMINATED BY HIS MAJESTIE:—2. THAT THEY SOULD BE ESTEEMED AS LORD BISHOPS:—3. THAT THEY SOULD CONTINUE DURING LIFE.

1. Concerning the demand, I mervell that the kirk sould be earnest for suche a thing, seing the commoun weale or parliament requires not the like in the Generall Assemblie, so farre as I understand. If, then, the church has governed hitherto, without prejudice to the commoun wealth, why may they not hope that the same God, who has defended the kirk so long, and in so troublous tymes, can still defend the same, without suche votes in parliament?

2. If Christ, our Lord and Maister, did so earnestlie refuse to be a judge betuixt two brethrein, are not we to take heed how we seeme over-earnest to be made judges, contrare to his exemple?

3. Wherin it is to be considered, that the petitioner urged Christ to judge, as it were, *ex officio*, and, therefore, it may be thought that Christ was so muche the more zealous in denying the same. Doe not the king's conditiouns argue the same? And sould not the church doe weill to consider Christ's exemple?

4. I grant that the king, upon extraordinarie occasiouns, (suche as the parliaments,) may have (as kings of Judah before him) certan of the clergie to joyne with him in counsell. But to avoide the danger of erecting of a new office in the kirk of God, without warrant from God, I could wish that the same men sould not be at everie parliament.

5. But truelie, I utterlie mislyke that anie professing sinceritie sould, for policie's sake, and for pretended good to the kirk, accept of votes in parliament, (not properlie perteaning to their functioun,)

upon conditions that would be givin to that calling, which heeretofore they have banished as antichristian.

6. In which their policie (so farre as I can discerne) they are twise deceaved. For nather will it prove so beneficial to the kirk as they imagine, nather (if it did so prove for a tyme) ought they to take suche a course.

7. Concerning the former, it is to be remembred that Christ sayeth, "Everie plant that my heavenlie Father hath not planted sall be rooted out." If God hath not planted lord bishops, and if that sentence stand true, what fruict can the church of God expect from suche rootes, as upon due consideratioun they have formerlie supplanted?

8. Can the kettill and earthen pott, the arke and Dagon, Christ and Belial, discipline and a lordlie ministrie, continue long together without ruine to the one, suith[1] the Strenth of Israel (from whom all stabilitie proceedeth) can not abide an oxe and an asse to plew together?

9. Howsoever Dagon receaved hurt, and not the arke, (which the Philistins brought into his temple, to be, as it were, disgraced by their Dagon;) yitt if the Israelits sould, in the vanitie of their mindes, sett Dagon with religious respect by the arke of God, I doubt not but that Holie One of Israel, not allowing the altar of Damascus to stand by the altar of the Lord, would so punish the tempting of his Majestie, that not Dagon, but the glorie of Israel, sould have beene diminished, if not utterlie taikin from them.

10. In ancient tymes, the church, imagining that their ministers were more contemptible, becaus they were not like to the Flamines and Archiflamines among the Gentiles, did advance first Lord Bishops, then Archbishops, and at last (for all the inventions of men have their course in the end) Antichrist gott him up upon their shoulders.

11. It is to be remembred and applyed, that God, in his wrath, gave Saul (that hypocrat and tyranne) to Israel, who would needs have a king after the maner of other natiouns, notwithstanding

[1] Since.

civill callings (not ecclesiasticall) be arbitrable; and they were occasiouned to desire change, by reasoun of the bad governement of Samuel's childrein.

12. Gregorie the First permitted images in churches, onlie to be laick men's bookes, notwithstanding there were living teachers beside. But in tyme these images were adored, where as sincere teaching was utterlie abandouned.

13. Lastlie, I have heard it to be the saying of that worthie and godlie man, Mr Knox, that except the tree be cutt doun, bough and branche, the crow will have a nest againe.

14. But lett it be supposed that this Babel, or confounding a lordlie ministrie with discipline, may prove beneficiall to the kirk, yitt, if this rule be infallible, (we must not doe evill that good may come of it,) I conclude with this questioun, "Will you make a lee for God, as one leeth for a man?"

15. That a lordlie ministrie is a lee, (being a mere inventioun of man, who is a leer,) I need not to prove, seing hitherto it has beene so reputed; and that it is evill to erect suche a ministrie, so long abhorred in Scotland, since it may be partlie gathered from that which is aforesaid.

16. I, at this tyme, onlie tuiche thir few things to be considered: 1. Formalists in England sall have mater of rejoicing. 2. Afflictioun sall be added to the bonds of them that suffer for sinceritie. 3. The weake sall be offended in their judgement tuiching discipline. 4. Scotland sall be traduced as unconstant, even in church governement. And, 5. The ministers sall be subject to this censure, "Are yee so foolish, that after yee have begunne in the Spirit, yee would be made perfyte by the flesh?" If, therefore, yee build again the things that yee have destroyed, yee make yourselves trespassers.

17. In consideratioun of the premisses, I beseeke you, brethrein, to marke them diligentlie which caus divisioun and offences, contrare to the doctrine which they have learned; for they that are suche serve not the Lord Jesus, but their owne belleis, and with faire speeches and flattering deceave the hearts of the simple.

A MONSTER BORNE.

There was a monster borne in Merkinche, or therabout, in the beginning of October, which had nather mouth, eares, eyes, nor nose; the privie members standing betuixt the shoulders, a slitt in the breast, wherin appeared two great tuskes or teeth.

THE KING CHARGETH THE KIRK OF EDINBURGH TO RESCIND AN ACT.

Some English comedians came to this countrie in the moneth of October. After they had acted sindrie comedeis in presence of the king, they purchassed at last a warrant or precept to the bailliffes of Edinburgh, to gett them an hous within the toun. Upon Moonday, the 12th of November, they gave warning by trumpets and drummes through the streets of Edinburgh, to all that pleased, to come to the Blacke Friers' Wynd to see the acting of their comedeis. The ministers of Edinburgh, fearing the profanitie that was to ensue, speciallie the profanatioun of the Sabboth day, convocated the foure sessiouns of the kirk. An act was made by commoun consent, that none resort to these profane comedeis, for eshewing offence of God, and of evill exemple to others; and an ordinance was made, that everie minister sould intimat this act in their owne severall pulpits. They had indeid committed manie abusses, speciallie upon the Sabboth, at night before. The king taketh the act in evill part, as made purposelie to crosse his warrant, and caused summoun the ministers and foure sessiouns, *super inquirendis*, before the Secreit Counsell. They sent doun some in commissioun to the king, and desired the mater might be tryed privatlie, and offered, if they had offended, to repaire the offence at his owne sight; and alledged they had the warrant of the synod presentlie sitting in the toun. The king would have the mater to come in publict. When they went doun, none was called upon but Mr Peter Hewat and Henrie Nisbit. After that they were heard, the

sentence was givin out against all the rest unheard, and charge givin to the ministers and foure sessiouns to conveene, within three houres after, to rescind their former ordinance, and to the ministers, to intimat the contrarie of that which they intimated before. They craved to be heard. Loath was the king, yitt the counsell moved him to heare them.

Mr Johne Hall was appointed to be their mouth. "We are summouned, Sir," said Mr Johne, "and crave to understand to what end." "It is true," said the king, "yee are summouned, and I have decerned alreadie." Mr Johne made no reply. Mr Robert Bruce said, "If it might stand with your good pleasure, we would know wherefore this hard sentence is past against us." "For contraveening of my warrant," said the king. "We have fulfilled your warrant," said Mr Robert; "for your warrant craved no more but an hous to them, which they have gottin." "To what end, I pray you, sought I an hous," said the king, "but onlie that the people might resort to their comedeis?" "Your warrant beareth not that end," said Mr Robert, "and we have good reasoun to stay them from their playes, even by your owne acts of parliament." The king answered, "Yee are not the interpreters of my lawes." "And farther, the warrant was intimated but to one or two," said Mr Robert, and, therefore, desired the king to retreate the sentence. The king would alter nothing. "At the least, then," said Mr Robert, "lett the paine strike upon us, and exeeme our people." The king bade him make away. So, in departing, Mr Robert turned, and said, "Sir, please you, nixt the regard we ow to God, we had a reverent respect to your Majestie's royall person, and person of your queene; for we heard that the comedians, in their playes, checked your royall person with secreit and indirect taunts and checkes; and there is not a man of honour in England would give suche fellowes so muche as their countenance." So they departed.

They were charged, at two houres, by sound of trumpet, the day following, at the publict Croce, about ten houres, to conveene themselves, and rescind the acts, or ellis to passe to the horne imme-

diatly after. The foure sessiouns conveene in the East Kirk. They asked the ministers' advice. The ministers willed them to advise with some advocats, seing the mater tuiched their estate so neere. Mr William Oliphant and Mr Johne Schairp, advocats, came to the foure sessiouns. The charge was read. The advocats gave their counsell to rescind the act, by reasoun the king's charge did not allow slanderous and undecent comedeis; and farther, shewed unto them, that the sessiouns could doe nothing without their ministers, seing they were charged als weill as the sessiouns, and the mater could not passe in voting, but the moderator and they being present. They were called in, and after reasouning they came to voting. Mr Robert Bruce being first asked, answered, "His Majestie is not minded to allow anie slanderous or offensive comedeis; but so it is that their comedeis are slanderous and offensive; therefore, the king, in effect, ratifieth our act." The rest of the ministers voted after the same maner. The elders, partlie for feare of their estats, partlie upon informatioun of the advocats, voted to the rescinding of the act. It was voted nixt, whether the ministers sould intimat the rescinding of the act? The most part voted they sould. The ministers assured them they would not. Henrie Nisbit, Archibald Johnstoun, Alexander Lindsey, and some others, tooke upon them to purchasse an exemptioun to the ministers. They returned with this answere, that his Majestie was content the mater sould be passed over lightlie, but he would have some mentioun made of the annulling of the act. They refuse. Their commissioners went the second tyme to the king, and returned with this answere, "Lett them nather speeke good nor evill in that mater, but leave it as dead." The ministers conveenned apart to consult. Mr Robert Bruce said it behoved them ather to justifie the thing they had done, or ellis they could not goe to a pulpit. Some others said the like. Others said, Leave it to God, to doe as God would direct their hearts. So they dissolved. Mr Robert, and others that were of his minde, justified it the day following, in some small measure, and yitt were not querrelled.

MR R. BRUCE PUTT AT AGAIN FOR HIS PENSION.

Mr Arthure Futhie, Mr Andrew Lamb, now Bishop of Galloway, Mr Patrik Lindsey, now Bishop of Rosse, and some others, made a new motioun to the king, to putt at Mr Robert for his pensioun, and are instant with the king to caus call the actioun whill Mr Robert was absent at his mother's buriall. Some courteours directed from the king to the Lords of the Sessioun threatned the king would hang them if they voted as they did before. The like they said to Mr Robert's advocats. Als soone as Mr Robert returneth, he goeth doun to the king, and asketh how this mater was wakenned again, seing he had obteaned his Majestie's favour, and was under so good termes with his Majestie? The king answered, "I made a promise to these men the last yeere, when yee oppugned my lawes." "But your Majestie has beene weill satisfied with me sensyne," said Mr Robert. "I have your Majestie's anterior promise; I have your Majestie's grant, writtin with your owne hand, that I deserved it, suppose it had beene the quarter of your kingdom; which writts I sall keepe as monuments to the posteritie, as your Majestie also bade me." The king becometh more calme, and sayeth, "Save my honour, Mr Robert, and I sall not hurt you." "What way," said Mr Robert, "sall I save your Majestie's honour?" "Yee sall come up the morne," said the king, "and submitt that mater to my will, and say, Looke, how freelie I gave that gift, yee will rander it als freelie." "Pardoun me, Sir," said Mr Robert; "I will not benefite my enemie, nor give over my right in the favour of anie subject; but if your Majestie will have it to your owne use, and thinke it meete that I, in presence of the lords, deliver it freelie into your Majestie's owne hands, I will doe it most heartilie, providing your Majestie gratifie not my competitors, and bereave me not of my right, for the pleasure of anie other subjects." The king promised, in presence of Sir George Elphinstoun, it sould be so.

The day following the king cometh up to the Tolbuith, and

causeth call the actioun before Mr Robert was awar. Als soone as he understood of it, he went up and spake in audience of the lords, as after followes:—"If his Majestie's officer would be contradictorie to me in this caus, I would willinglie yeeld to his Majestie. I had my gift of his Majestie's free liberalitie. If his Majestie thinke that gift meete for his owne use, looke, how freelie his Majestie gave it me, I will als freelie rander it again; but as for my Lord Hammiltoun, or anie other nighbour man of the ministrie, I am no wise obliged to them. So I looke his Majestie will suffer me to injoy my right against them." The king willed him to referre to his courtesie. Mr Robert referred that muche to his courtesie, ather to take it to himself, or to suffer him to injoy it. The king appeared to be weill satisfied.

Mr Arthure Futhie sent the king's reader, Mr Johne Young, to querrell Mr Robert for some speeches uttered against him, as he alledged, before the lords; and he sent again, and querrelled him for speeches uttered to the first messinger, Mr Johne Young. But finding vantage in neither, he sought conference of Mr Robert; which was granted. He and Mr Andrew Lamb layed some things to Mr Robert's charge, which he refuted cleerelie, and told them plainlie, that they and their complices, the commissioners of the Generall Assemblie, had sought his ministrie directlie, and his life indirectlie: that now they had hounded out debausched men, to seeke his stipend directlie, and his life indirectlie, by calumneis: that he tooke them onlie to be the organs, and the commissioners the players on them; therefore, he could not agree with them, till he saw them commend their ministrie by a good life, and take up a better course. If they would doe so, they sould find he sould soone forgett his particular. Mr Andrew Lamb was wonderfullie dashed with these speeches.

Within fourteene dayes after, that is, about the end of December, Mr Robert compleaneth to the presbyterie of the injureis done to him; namelie, that notwithstanding that he had als good a right, and als sure to his gift, as to his proper heritage, two decreits upon his right, and givin in his bill sindrie tymes to the chanceller for

justice, he could not gett the benefite of the law. The chanceller assured him that the king had givin him expresse contramand out of his owne mouth. Nixt, that he could not gett the acts of the Assemblie keeped to him, for the Assemblie holdin at Montrose, *anno* 1595, appointed everie minister to submitt their stipends to the modificatioun of certane commissioners named by the Assemblie; at which tyme the whole Assemblie was deepelie sworne, by holding up of their hands, to stand to their decisioun. He submitted himself. They tooke off his stipend what they pleased, and assigned the rest to him for his lyfetyme; subscribed his assignatioun, and promised to caus the fiftie presbytereis, and everie particular minister, to ratifie the same. Yitt, notwithstanding of their owne ordinance, some of them sitting in the platt, suffered it to be assigned to the minister of Arbrothe, looking through their owne fingers. Thridlie, that, notwithstanding, to pleasure his Majestie, he had submitted his right, upon manie faire promises which his Majestie had made him, yitt, when it came to the giving out of the submissioun, his Majestie would not suffer the clerk, Mr Alexander Gibsone, to give it out as it was conceaved indeid; but sent up Mr Johne Young, his reader, and Sir Patrik Murray, to threattin him with hanging, if he gave it not out as his Majestie directed him. He giveth out an extract to Mr Arthure Futhie, *simpliciter*, in als large a forme as he could, fourteene dayes before it came to Mr Robert's knowledge, alledging no other excuse but that the king had threatned him out of his owne mouth. Fourthlie, that, notwithstanding of all his distresse, none of the presbyterie tooke notice of it, except onelie Mr Walter, who was found fault with by the king for accompaneing him doun to the Abbey, but had now gottin two chalders of victuall, and eight bolls more nor he had, in hope that he would desert him. Fyftlie, that the commissioners refused reconciliatioun with him, when it was urged by one of their owne number, Mr Alexander Lindsey, when he was last at St Andrewes, that Mr Patrik Galloway alledged that Mr Robert said he regairded nather his good nor his evill; but he sould lett him know, what his good and his evill might doe him. Mr Patrik

being present, answered not one word. And last, he compleaned that nather Mr Patrik, nor anie of the commissioners, haunted the presbyterie, but did what they like.

A CONVENTION OF THE ESTATS.

Upon the 10th of December the nobilitie and states conveenned at Edinburgh. It was appointed that the yeere sould beginne the first day of Januar, which heeretofore beganne the 25th of Marche. No mater of moment [was] concluded, but referred to a fuller conventioun, which was to be holdin at Perth in Marche following.

SLAUGHTERS.

There were this yeere diverse incursiouns in the Hielands and in the Borders, and sindrie slaughters committed in diverse parts of the countrie. Fyve sindrie men were slaine in one weeke, within two myles of Edinburgh.

THE KING WRONGETH MR R. BRUCE.

We made mentioun a little before of Mr Robert Bruce his submissioun to the king, tuiching his pensioun out of the abbacie of Arbrothe. The king breaketh the gift beside his promise, annulleth the decreits Mr Robert had gottin, passeth by the assignatioun of the Generall Assemblie, altereth the qualitie of the victuall, diminisheth the quantitie, giveth him onlie eight chalders victuall, wherof three were meale, and giveth him no suretie but during his pleasure. Wherupon Mr Robert, upon the 18th of Januar, (1600,) went doun to the palace to restore to the king his gift in his owne hand, but could gett no accesse. The king desired that the Laird of Kincavell, his brother, might be sent to him, to whom he sould declare his will. Mr Robert discharged his brother to take that burthein upon him.

APPENDIX.

THE NAME OF THESE THAT SUBSCRIBED THE BAND ANENT THE RELIGIOUN, AT ABERDEENE, MARCHE 1592.

JACOBUS REX.

Lennox
Atholl
Marre
Marishall
Henrie Stuart of Uchiltrie
Cancellarius
James Lord Lindsay
Innermethe
John Maister of Forbesse
Sir Robert Melvill
Blantyre
Tullibardin
Sir George Hume
Drum
John Grant of Trewquhy
Walter Ogilvie of Finlater
Philorth
Pitsligo
Robert Inneis of that Ilk
John Middletoun of Kilhill
Walter * * * of Fettercarne
William Achtmachie of that Ilk
Mr Wm. Meldrum of Mancofer
Robert Falconer of * * *
James Lyell of * * *
Arthur Gardin of Banchrie
George Hume
Kenneth Makenzie of Kintaill
George Ogilvie of Bamfe
J. Lindsay of * * *
George Rosse of * * *
William Forbesse of * * *
John Forbesse of Echt
William Strachan of Glenkindie
Alexander Blakhall of that Ilk
Jhon Lumisdane of Cuschmie
Jhone Urquhart of Culmo, Tutor of Cromartie
Jhon Cumine of Erneside, younger
William Leslie of Wardes
Alexander Forbesse of * * *
Mr Alex. Cumine of * * *
William Burnet of Camphell

Patrik Gordoun of Hilheid
Andrew Harvie of * * *
William Forbesse of Corse
Alexander Forbesse, Tutor of Brux and * * *
Alexander Forbesse of Fingask
William Keith of Ludquharne
Alexander Skeene
Donald Farquardsone
Tilligarmon
Thomas Fraser of * * *
Hector * * *
Andrew Fraser in Lyr
William Sutherland of Duffus
Alexander Hay of Dalgetie
Walter Cheyne of Ar
Pat. Cheyne of Elsmone
Gilbert Meinzeis of Petsoddells
J. Burnet of Leyis
William Forbesse of * * *
John Gordoun, with my hand, younger of Auch
Alex. Forbesse of Auchintowle
George Johnstoun of that Ilk
Johne Forbesse of Colleis
George Bannerman of Watertoun
James Gordoun of * * *
Andrew Reid of Collestoun
Andrew Tillidaffe of Ramestoun
Andrew Frazer of Stornewood
William Forbesse of Manimisk
James Mortimer, feir of Cragivarr
Petrie Leslie of that Ilk
Petrie Leslie of Kincragie
Andrew Leslie of New-Leslie
James Steward of Ryland
Jhon Fraser of Trichie
James Innes of * * *
William Abernethie of * * *
Thomas Leask of that Ilk
David Brodie of that Ilk
Mr William Leslie of Warthill
Mr James Skeene of Wester Corse
Alexander Straquhan of Thornton
Mr Robert Dowglas of Glenbervie
J. Areskine of Pitcarie
Robert Straquhan of Tillivaird
* * * Wishart of Pittarew
Robert Arbuthnot, feir of that Ilk
William Rosse, apparent of * * *
Jhon Dunbar of Maynes
Walter Watt of * * *
William * * * of that Ilk
Alex. Dumbar, apparent of Tarbet
Marke Dumbar of Dullus
William Seaton of Blair
John Keith of Rewinscraig
Duncan Leslie of Pitcarple
Robert Coutts of * * *
George Mortimer of Auchinkeidie
Alexander Buchan of Auchin
Jo. Grahame, apparent of Morphie
John Pantoun of Pitmeddin
Alexander Chalmer of Ba
John Rosse of Auchlosin
George Meldrum of D.
Archibald Dowglas of Pendreigh
Robert Tulloch of Tannachers, Provest of Forresse
Alex. Cumine, apparent of Abber
Wm. Keith, apparent of Pittarrey
John Keith of Northfeild
Alexander Ogilvie of Boyne
John Hay, apparent of Loch

Alex. Kinnaird, apparent of * * *
Johne Leslie of Dandileith
William Irvine of Beltie
George Ogilvie of Cullen
John Chalmer of Bobithen
John Abircrummie of Skeith
William Dumbrek of * * *
Hughe Crawfurd of Quhythall
George Adamsone of Brako
John Innes of Auchlinakart
John Forbesse of Auchinachie
William Abercrummie of * * *
Robert Innes of Elrick
William Chalmer of Achorthie
William Forbesse of Barnes
Alexander Skeene of that Ilk
Johne Irvine of Petmorchie
Alexander Caddell of * * *
Alex. Innes, apparent of * * *
And. Meldrum, apparent of * * *
Alexander Hay of * * *
* * * Burnet of Gask
William Ferquharsone of Kelleyes
William Craig of Craig Fentrie
Gilbert Ogilvie of * * *
William Pendrigh of that Ilk
Alexander Leslie of Bucharne
Mr John Innes, apparent of Cockstoun
Alexander Fraser of * * *
Andrew Knokis of that Ilk
* * * Mowat, apparent of * * *
Wm. Ogilvie, apparent of * * *
John Ogilvie of * * *
Thomas Innes, apparent of * * *
Alexander Gairdin of Blakfurd
George Gairdine of Bauchrie
Alexander Keith of * * *
Thomas Burnett of Craigmylne
Alex. Abernethie of Lashindrum
Alexander Spence of Bod
James Creightoun of Coulen
James Ogilvie of Blerock
James Forbesse of Fichile
Alexander Annan of * * *
Andrew Meldrum of Auchortie
David Ramsay of Bomane
* * * Straitoun of Craigie
John Cruikshank of Tillimoquhan

END OF VOLUME FIFTH.

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